

**EAGLE TOWNSHIP
EAGLE TOWNSHIP HALL
14318 MICHIGAN ST
EAGLE, MI 48822**

**TOWNSHIP BOARD MEETING AGENDA
April 18, 2024 at 6:00 pm**

Call to Order: _____ p.m. – Pledge of Allegiance

Members Present: Briggs-Dudley_____, C. Hoppes_____, Stroud_____, Strahle _____, M. Hoppes_____

Citizen’s Comments (Items not on the agenda)

Please be respectful to everyone, any side conversations need to happen outside of this hall.

Consent Agenda:

1. Minutes from March 21, 2024
2. Minutes from March 21, 2024 Budget Workshop
3. Minutes from March 30, 2024
4. Communications
 - McKenna comment on Danby Township Master Plan
 - Portland District Library Annual Report 22-23

Agenda Approval:

A. Presentation Armory PFAS findings

B. Reports

1. County Commissioner Report
2. LGRFA Report
3. Eagle Township Planning Commission Report
4. Board of Review Reports

B. Accounts Payable:

1. Bill Payment List

C. Old Business:

1. Clinton County Catalyst
2. MEDC Response to rescind NDA
3. Media/Communications Strategy
4. Lawyer RFP
5. Leap Letter

D. New Business:

1. McKenna Wind and Solar (Leroy Twp)
2. Niles Cemetery Improvements/Tree Removal
3. Fireworks Display Permit
4. Road Commission Contracts
5. Township of Excellence
6. Board Policy
7. Strategy, Goals, and SWOT (Strengths, Weaknesses, Opportunities, and Threats)
8. Accounting Software

E. Other Business: Discussion Items

1. Consumers Energy – Gas Supplier/Whispering Winds Rate

G. Adjourn (time) _____ p.m.

Next Eagle Township Board Meeting will be on Thursday, May 16, 2024, at 6 pm.

<p>If you wish to address the Board, please begin by stating your name and address. Also, please limit your comments to 3 minutes...thank you.</p>

Minutes
Eagle Township Board Meeting
Thursday, March 21, 2024
Eagle Twp. Hall - 14318 Michigan Street, Eagle, MI 48822

1. **Call to Order:** Meeting was called to order by Supervisor Stroud at 6:00 pm - Pledge of Allegiance.
2. **Present:** Trustee Dennis Strahle, Supervisor Troy Stroud, Clerk Laurie Briggs-Dudley, Treasurer Chelsea Hoppes, Trustee Michelle Hoppes
3. **Others Present:** Chris Khorey, McKenna Associates; John Clark, Chairperson Looking Glass Regional Fire Authority; Dave Pohl, Clinton County Commissioner; Tim Fair, Director of Clinton County Catalyst; Clinton County Catalyst Grant Writers: Debbie Parker and Karen Schafer
4. **Citizens:** Linn Romanik, Brad Rich, Jan Seeger, Pat Schaible, Rob Gross, Carolyn Donaldson, James Donaldson, Joe Haddix, Richard Elder, Martha Kenyon, Cori Feldpausch, San Juanita Lira, Casey and Joe Godlewski, Judy and Dick Sena, Janine Dyer, Leah Horn, Darrin and Debbie Grey, Pamela Brown, David VanderBroek, Curt Kenyon, Cheryl Moyer.
5. **Agenda Approval:** Motion by Supervisor Stroud supported by Trustee M. Hoppes to approve the agenda as amended. Motion carried.
6. **Citizens Comments:** None
7. **Consent Agenda:** Motion by Trustee Strahle supported by Treasurer C. Hoppes to accept the consent agenda as amended. Motion carried.
8. **Commissioner Report:** Clinton County Commissioner Dave Pohl reported that the Board of Commissioners (BOC) approved a Veteran's Treatment Court Program to assist veterans with counseling and mentoring. Recycling contracts were renewed with Granger. The Board of Commissioners approved that the County manage the Materials Management Plan rather than the State. This could take up to 3 years to complete. Remonumentation contracts were approved to reestablish survey points. This is a 40-year project. The Board approved fairground building repairs as well as Prosecutors office remodel.
9. **LGRFA Report:** John Clark, Chairperson Looking Glass Regional Fire Authority, reported that the average number of calls per month has increased by 80% over last year. The new ambulance has arrived and will be road ready in 3-4 weeks. A new fire truck is expected to be ordered in 2025 with delivery in 2027. The LGRFA has selected a grant writer to assist with the fire truck purchase.
10. **Eagle Township Planning Commission Report:** Chairperson Rob Currie gave an update on the February 16, 2024, meeting of the Planning Commission and an update on the Community Workshop that was held on February 22, 2024. The Planning Commission members received a lot of positive feedback from attendees at the Community Workshop. The Planning Commission is looking at future housing requirements for the Master Plan. Rob is working with BS&A to clarify which modules and functionality were purchased. We did not purchase BS&A Online Community Development which would replace the Google docs that McKenna developed for the Eagle Township zoning applications.

11. **Accounts Payable:** Motion by Trustee D. Strahle supported by Clerk Briggs-Dudley to approve paying the bills as presented as well as all other regular monthly bills. Motion carried.
12. **ARPA:** Supervisor Stroud reported that he was successful in having the Eagle Township ARPA funding account tied to his email Supervisor@eagletownship.org for reporting.

Motion by Trustee M. Hoppes supported by Trustee Strahle to redirect Eagle Township ARPA funds from the Clinton County Broadband project to a fire truck for the Looking Glass Regional Fire Authority. Roll Call Yes Votes: Trustee Strahle, Treasurer C. Hoppes, Clerk Briggs-Dudley, Trustee M. Hoppes, Supervisor Stroud. No Votes: None. Motion carried.

Motion by Trustee Strahle supported by Treasurer C. Hoppes to send a letter to the Clinton County Board of Commissioners regarding the redirection of Eagle Township's ARPA funds. Motion carried.

13. **Grants CC Catalyst:** Tim Fair, Director of Clinton County Catalyst, presented information about Clinton County Catalyst and how they can help Eagle Township find and apply for grant money. Clinton County Catalyst also works with businesses and municipalities in Clinton County on economic development to make the community better maintaining local control.

Citizen comments: Several citizens commented in favor of using Clinton County Catalyst to assist with grants for Eagle Township.

14. **Policy and RFP:** Motion by Clerk Briggs-Dudley supported by Trustee Strahle to reimburse Supervisor Stroud for meals purchased for the Board of Review members. Motion carried.

Motion by Trustee M. Hoppes supported by Supervisor Stroud to approve the lawyer policy as amended to include

- An RFP may be issued every two years.
- Update to Ex Officio Planning Commission member for Planning Commission approvals.
- Correction to have the Supervisor and Treasurer approve tax related requests.
- Change for Supervisor and Clerk approval list to include special assessments, Zoning Board of Appeals, and other operational/and or urgent matters.
- The Board will be notified via email by being blind copied upon approval of any legal request.

Roll Call Yes Votes: Treasurer C. Hoppes, Clerk Briggs-Dudley, Trustee M. Hoppes, Trustee Strahle, Supervisor Stroud. No Votes: None. Motion carried.

15. **Assessor Agreements – Employment and Reappraisal:** Motion by Trustee M. Hoppes supported by Supervisor Stroud to approve the revised Randy Jewell, Assessor, At-Will Employment Agreement for a 4-year term from April 1, 2024, through March 31, 2028, with an annual salary of \$26,441.25 from April 1, 2024, through March 31, 2026, and an annual salary of \$26,922.00 from April 1, 2026, through March 31, 2028. Roll Call Yes Votes: Clerk Briggs-Dudley, Trustee M. Hoppes, Trustee Strahle, Treasurer C. Hoppes, Supervisor Stroud. No Votes: None. Motion carried.

Motion by Trustee M. Hoppes supported by Supervisor Stroud to approve the Re-appraisal Contract for Randy Jewell for a 4-year term from April 1, 2024, through March 31, 2028. Roll Call Yes Votes:

Trustee Strahle, Treasurer C. Hoppes, Clerk Briggs-Dudley, Trustee M. Hoppes, Supervisor Stroud. No Votes: None. Motion carried.

16. **CPA Firm:** Motion by Trustee M. Hoppes supported by Treasurer C. Hoppes to approve executing the Account Engagement proposal with CPA firm the Rehmann Group. Roll Call Yes Votes: Clerk Briggs-Dudley, Trustee M. Hoppes, Treasurer C. Hoppes, Trustee Strahle, Supervisor Stroud. No Votes: None. Motion carried.
17. **Supervisor Updates:** The IT expert was able to recover 800 documents from the previous supervisor's laptop. .gov domain request has been submitted. The Supervisor is waiting for a quote for cleanup of the basement which is estimated to be under \$500.
18. **CDARs Investments:** Treasurer C. Hoppes reported that she has invested in two CDARS with one of them maturing every two weeks.
19. **Insurance Update:** Trustee M. Hoppes reported that the township has received the increased endorsement binder for \$250,000 from our current insurance agency. No quote yet from EMC for coverage.
20. **Interim Zoning Ordinance Amendment Ordinance 02-2024:** Motion by Trustee M. Hoppes supported by Treasurer C. Hoppes to approve Interim Zoning Ordinance Amendment Ordinance No 02-2024 as presented. Roll Call Yes Votes: Trustee M. Hoppes, Trustee Strahle, Clerk Briggs-Dudley, Treasurer C. Hoppes, Supervisor Stroud. No Votes: None. Motion carried.
21. **Master Plan Community Engagement Results:** Chris Khorey, McKenna Associates, reviewed the survey results.
22. **Tri-County Metro Narcotics Unit:** Motion by Trustee Strahle supported by Clerk Briggs-Dudley to contribute \$500 to the Tri-County Metro Narcotics Unit in combating the influx of drugs in Clinton, Ingham, and Eaton Counties for FY 24-25. Motion carried.
23. **Clinton County Historical Society:** Motion by Trustee Strahle supported by Supervisor Stroud to contribute \$150 to the Clinton County Historical Society to ensure the continued preservation of our county's rich history for FY 24-25 as allowed by MCL 399.161. Motion carried.
24. **Board Stipend Per Board Policy:** Motion by Treasurer C. Hoppes supported by Supervisor Stroud to follow the Board Policy Section 12.4 Expenses Reimbursing Township Officers for annual Communications and Copy Expense for FY 23-24. Motion carried.
25. **Media Policy:** Trustee M. Hoppes emailed out research regarding media and social media policies/guidelines. Trustee M. Hoppes requested all board members to review this information and email comments to her.
26. **Bike Race:** Discussion on Bike Race road closures in June and July 2024. Supervisor Stroud to get more information on this for the March 30, 2024, board meeting.

27. **Michigan Township Association (MTA) Online Training Subscription Renewal:** Motion by Treasurer C. Hoppes supported by Trustee Strahle to renew MTA Online Training Premium Pass Subscription for FY 2024-2025 for \$1900. Roll Call Yes Votes: Treasurer C. Hoppes, Trustee Strahle, Clerk Briggs-Dudley, Trustee M. Hoppes, Supervisor Stroud. No Votes: None. Motion carried.
28. **Invoice for Salting Township Hall:** Motion by Clerk Briggs-Dudley supported by Treasurer C. Hoppes to pay invoice to Jerry's Lawn Care for 2023-2024 hall maintenance services out of account 265 930 Township Hall Repairs. Motion carried.
29. **Adjournment:** Motion by Treasurer C. Hoppes supported by Supervisor Stroud to adjourn the meeting at 9:53 pm. Motion carried.

Laurie Briggs-Dudley, Clerk

Draft

Minutes
Eagle Township Budget Workshop Meeting
Thursday, March 21, 2024
Eagle Twp. Hall - 14318 Michigan Street, Eagle, MI 48822

1. **Call to Order:** Meeting was called to order by Supervisor Stroud at 9:56 pm.
2. **Present:** Trustee Dennis Strahle, Supervisor Troy Stroud, Clerk Laurie Briggs-Dudley, Treasurer Chelsea Hoppes, Trustee Michelle Hoppes
3. **Citizens:** Cori Feldpausch, Rob Currie, Brad Rich, Janine Dyer, San Juanita Lira.
4. **Agenda Approval:** Motion by Supervisor Stroud supported by Treasurer C. Hoppes to approve the agenda as presented. Motion carried.
5. **Continuation of Business:** Motion by Clerk Briggs-Dudley supported by Treasurer C. Hoppes to continue the meeting past 10:30 pm to finish up budget business. Motion carried.
6. **Discussion and Action Items in the 2024-2025 Budget:** The Township Board discussed and reviewed the 2024/2025 proposed budget.
7. **Budget Amendment – North Eagle Cemetery:** Motion by Treasurer C. Hoppes supported by Clerk Briggs-Dudley to make the following budget amendment for North Eagle Cemetery:
 - Transfer \$27 from 151-567-390 Fund Balance to 151-567-963 Interest Distribution North Eagle Cemetery. Motion carried.
8. **Budget Amendment – General Funds:** Motion by Treasurer C. Hoppes supported by Clerk Briggs-Dudley to make the following budget amendment:
 - Transfer \$800 from 101 247 910 Board of Review Education to 101 247 955 Board of Review Miscellaneous. Motion carried.
9. **Adjournment:** Motion by Trustee Strahle supported by Trustee M. Hoppes to adjourn the meeting at 11:27 pm. Motion carried.

Laurie Briggs-Dudley, Clerk

Minutes
Eagle Township Board Meeting
Saturday, March 30, 2024, following Annual Meeting
Eagle Twp. Hall - 14318 Michigan Street, Eagle, MI 48822

1. **Call to Order:** Meeting was called to order by Supervisor Stroud at 10:41 am.
2. **Present:** Trustee Dennis Strahle, Supervisor Troy Stroud, Clerk Laurie Briggs-Dudley, Treasurer Chelsea Hoppes, Trustee Michelle Hoppes

Citizens: Janine Dyer, Kerry Wright, Linn Romanik, San Juanita Lira, Darrin Gray, J. Godlewski, Leah Horn, Carolyn Donaldson, Brad Rich, Robin Currie, Cady Ness-Smith
3. **Agenda Approval:** Motion by Supervisor Stroud supported by Clerk Briggs-Dudley to approve the agenda as amended. Motion carried.
4. **Citizens Comments:** None
5. **Eagle Township Planning Commission Report:** Chairperson Rob Currie gave an update on the March 26, 2024, meeting of the Planning Commission. The Planning Commission approved both the Special Use Permit and Site Plan for Believer's Church at 10837 W Grand River Ave for two mobile classrooms. The Planning Commission will hold a special meeting on April 11, 2024, at 6 pm to work on the Master Plan. The Planning Commission approved updates to the Interim Zoning Ordinance including an I-2 High Intensity Industrial district and an update to public notice requirements from 300 feet to 1000 feet.
6. **Eagle Township Zoning Board of Appeals Report:** ZBA Member Rob Currie gave an update on the March 25, 2024, inaugural meeting of the Zoning Board of Appeals. The following officers were elected: Mike Dyer as Chairperson and Larry Strzalka as Vice-Chair and Secretary. The by-laws were amended and will be permanently adopted at the next meeting. The ZBA approved a variance request to erect an accessory building in the front yard of the residence at 11145 W Herbison Rd.
7. **Accounts Payable:** Motion by Trustee Strahle supported by Clerk Briggs-Dudley to approve paying the bills as presented as well as all other regular monthly bills. Motion carried.
8. **Clinton County Catalyst:** Discussion regarding whether the Township Board wishes to engage Clinton County Catalysts for grants and economic development. Will be further discussed at the April meeting.

Public Comment: Several comments were voiced in favor of using Clinton County Catalyst for grant writing. Several comments were voiced against any ties to an economic development company for the township.
9. **LEAP Letter:** No action.

10. **Planning Commission Requests – Code Enforcement email:** Motion by Clerk Briggs-Dudley supported by Trustee Strahle to set up an eagletownship.org email to be used for Code Enforcement. Motion carried.
11. **WOW Franchise Fee Agreement:** Motion by Trustee M. Hoppes supported by Supervisor Stroud to approve renewal of the Uniform Video Franchise Agreement between Wide Open West (WOW) and Eagle Township to continue a 3% video service franchise fee for a 10-year term to expire in 2034. Roll Call Yes Votes: Treasurer C. Hoppes, Clerk Briggs-Dudley, Trustee M. Hoppes, Trustee Strahle, Supervisor Stroud. No Votes: None. Motion carried.
12. **Clinton County Road Commission Contracts:** No action. Waiting for contracts from Clinton County.
13. **METRO fund budget amendment:** Motion by Treasurer C. Hoppes supported by Trustee Strahle to match the METRO funds received and distributed in FY 23-24 to:
 - increase Metro account 446 804 Road Maintenance by \$192.35
 - increase Metro account 205 577 State of Michigan Payments by \$159.24
 - increase Metro account 205 665 Interest by \$33.11.Motion carried.
14. **Bike Race:** No action.
15. **Escrow Refund Timing:** Motion by Trustee Strahle supported by Clerk Briggs-Dudley to issue refund checks to zoning applicants once a notice of escrow release is received from McKenna Associates and not wait for a board meeting. Motion carried.
16. **Adjournment:** Motion by Supervisor Stroud supported by Trustee M. Hoppes to adjourn the meeting at 1:53 pm. Motion carried.

Laurie Briggs-Dudley, Clerk



MCKENNA

Memorandum

TO: Eagle Township Board
FROM: Christopher Khorey, AICP, Senior Principal Planner
Ethan Walthorn, Assistant Planner
SUBJECT: **Possible Wind/Solar Policy – Leroy Township Model**
DATE: April 9, 2024

Leroy Township in Ingham County is considering new wind, solar, and battery energy storage system (BESS) ordinances in response to PA 233 of 2023, which would remove local control from some kinds of alternative energy facilities if it goes into effect as scheduled in November of 2024.

Leroy’s proposed ordinances would include a “trigger” mechanism that would automatically override certain regulations to make them consistent with the State law if it goes into effect, thus making Leroy’s ordinance “compatible” and leaving siting control in the hands of Township zoning.

Importantly, aspects of Leroy’s ordinance that are not specifically covered by the State law would not be changed by the trigger provision, giving Leroy an ordinance that would have the State’s regulations, plus additional regulations.

We are providing Leroy’s draft ordinances to the Township Board so the Board can determine if this is a policy direction Eagle would like to pursue.

Importantly, this direction should be reviewed by the Township Attorney prior to any action by the Planning Commission or Township Board.

We understand that the Board will discuss this matter at the April 18 meeting, and will give direction on next steps.

LEROY TOWNSHIP

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE
TO REGULATE SOLAR ENERGY SYSTEMS**

The Township of Leroy ordains:

Section 1. Add Definitions to Section 202.

The following definitions are added to Section 202 of the Zoning Ordinance, and will be placed in the Zoning Ordinances so that all definitions are in alphabetical order:

- A. Abandonment: A Solar Energy System is abandoned if it has not been in operation for a period of one (1) year. This includes a Solar Energy System that was never operational if construction has been halted for a period of one (1) year.
- B. Building Integrated Photovoltaics (BIVPs): A small Solar Energy System that is integrated into the structure of a building, such as solar roof tiles and solar shingles.
- C. Commercial Solar Energy System: A Solar Energy System in which the principal design, purpose, or use is to provide energy to off-site uses or the wholesale or retail sale of generated electricity to any person or entity.
- D. Ground Mounted Solar Energy System: A Private or Commercial Solar Energy System that is not attached to or mounted to any roof or exterior wall of any principal or accessory building.
- E. Private Solar Energy System: A Solar Energy System used exclusively for private purposes and not used for any commercial resale of any energy, except for the sale of surplus electrical energy back to the electrical grid.
- F. Roof or Building Mounted Solar Energy System: A Private Solar Energy System attached to or mounted on any roof or exterior wall of any principal or accessory building, but excluding BIVPs.
- G. Solar Energy System: Any part of a system that collects or stores solar radiation or energy for the purpose of transforming it into any other form of usable energy, including the collection and transfer of heat created by solar energy to any other medium by any means.

Section 2. Amend Section 434, entitled “Solar Energy Conversion Systems”

Section 434 is hereby amended to read, in its entirety, as follows:

Section 434. Solar Energy Systems.

- A. **General Provisions.** All Solar Energy Systems are subject to the following requirements:

1. All Solar Energy Systems must conform to the provisions of this Ordinance and all county, state, and federal regulations and safety requirements, including applicable building codes and applicable industry standards, including those of the American National Standards Institute (ANSI).

2. The Township may revoke any approvals for, and require the removal of, any Solar Energy System that does not comply with this Ordinance.

3. Solar Energy Systems must be located or placed so that concentrated solar glare is not directed toward or onto nearby properties or roadways at any time of the day.

4. Solar Energy Systems are permitted in the Township as follows, subject to this Section XX and other applicable provisions of the Zoning Ordinance:

Type of System	Sub-Type of System	Zoning District	Special Use Permit
Private Solar Energy System	Private BIVPs	All zoning districts	Not required
	Roof or Building Mounted Private Solar Energy System	All zoning districts as accessory use	Not required
	Ground Mounted Private Solar Energy Systems	AG	Required
Commercial Solar Energy System	All Commercial Solar Energy Systems (Ground Mounted only)	AG*	Required

* Commercial Solar Energy Systems are not permitted on any properties enrolled in the PA 116 Farmland and Open Space Preservation Program.

B. Private Solar Energy Systems.

1. Private Solar Energy System BIVPs. Private Solar Energy System BIVPs are permitted in all zoning districts. A building permit is required for the installation of BIVPs.

2. Roof or Building Mounted Private Solar Energy Systems. Roof or Building Mounted Private Solar Energy Systems are permitted in all zoning districts as an accessory use, subject to the following requirements:

- a. No part of the Solar Energy System erected on a roof is permitted to extend beyond the peak of the roof. If the Solar Energy System is mounted on a building in an area other than the roof, no part of the Solar Energy System is permitted to extend beyond the wall on which it is mounted.
- b. No part of a Solar Energy System mounted on a roof is to be installed closer than three (3) feet from the edges of the roof, the peak, or eave or valley to maintain pathways of accessibility.

- c. No part of a Solar Energy System mounted on a roof is permitted to extend more than two (2) feet above the surface of the roof.
- d. If a Roof or Building Mounted Private Solar Energy System has been abandoned, the property owner must remove it within three (3) months after the date of abandonment.
- e. A building permit is required for the installation of Roof or Building Mounted Private Solar Energy Systems.

3. Ground Mounted Private Solar Energy Systems. Ground Mounted Private Solar Energy Systems are allowed only in the AG, Agricultural Enterprise zoning district and require a special land use permit and site plan review. In addition to all requirements for a special land use permit under Article 9 and site plan review and approval under Article 8, Ground Mounted Private Solar Energy Systems are also subject to the following requirements:

- a. *Site Plan.* Before installation of a Ground Mounted Private Solar Energy System, the property owner must submit a site plan to the Zoning Administrator. The site plan must include setbacks, panel size, and the location of property lines, buildings, fences, greenbelts, and road right of ways. The site plan must be drawn to scale.
- b. *Maximum Height.* A Ground Mounted Private Solar Energy System must not exceed the maximum building height for adjacent accessory buildings and must not exceed fifteen (15) feet above the ground when oriented at maximum tilt.
- c. *Location.* A Ground Mounted Private Solar Energy System must be located in the rear yard and meet the rear yard setback requirements applicable in the A-1 zoning district.
- d. *Underground Transmission.* All power transmission or other lines, wires, or conduits from a Ground Mounted Private Solar Energy System to any building or other structure must be located underground. If batteries are used as part of the Ground Mounted Private Solar Energy System, they must be placed in a secured container or enclosure.
- e. *Screening.* Greenbelt screening is required around any Ground Mounted Private Solar Energy System and around any equipment associated with the system to obscure, to the greatest extent possible, the Solar Energy System from any adjacent residences. The greenbelt must consist of shrubbery, trees, or other non-invasive plant species that provide a visual screen. In lieu of a planting greenbelt, a decorative fence that is at least 50% opaque (meeting the requirements of this Ordinance applicable to fences) may be used if approved by the Planning Commission.

- f. *Lot Area Coverage.* No more than 20% of the total lot area may be covered by a Ground Mounted Private Solar Energy System.
- g. *Appearance.* The exterior surfaces of a Ground Mounted Private Solar Energy System must be generally neutral in color and substantially non-reflective of light.
- h. *Abandonment.* If a Ground Mounted Private Solar Energy System has been abandoned, the property owner must notify the Township and remove the system within three (3) months after the date of abandonment.
- i. *Building Permit.* A building permit is required for installation of a Ground Mounted Private Solar Energy System.
- j. *Transferability.* A special use permit for a Ground Mounted Private Solar Energy System is transferable to a new owner. The new owner must register its name and business address with the Township and must comply with this Ordinance and all approvals and conditions issued by the Township.
- k. *Remedies.* If an applicant or operator of a Ground Mounted Solar Energy System fails to comply with this Ordinance, the Township, in addition to any other remedy under this Ordinance, may revoke the special land use permit and site plan approval after giving the applicant notice and an opportunity to be heard. Additionally, the Township may pursue any legal or equitable action to abate a violation and recover any and all costs, including the Township's actual attorney fees and costs.

C. Commercial Solar Energy Systems. Commercial Solar Energy Systems are allowed only in the AG, Agricultural Enterprise zoning district (except they are not permitted on any properties enrolled in the PA 116 Farmland and Open Space Preservation Program) and require a special land use permit and site plan review. In addition to all requirements for a special land use permit under Article 9 and site plan review and approval under Article 8, Commercial Solar Energy Systems are also subject to the following requirements:

- 1. *Application Requirements.* The applicant for a Commercial Solar Energy System must provide the Township with all of the following:
 - a. Application fee in an amount set by resolution of the Township Board.
 - b. A list of all parcel numbers that will be used by the Commercial Social Energy System; documentation establishing ownership of each parcel; and any lease agreements, easements, or purchase agreements for the subject parcels.

- c. An operations agreement setting forth the operations parameters, the name and contact information of the certified operator, the applicant's inspection protocol, emergency procedures, and general safety documentation.
- d. Current photographs of the subject property.
- e. A site plan that includes all proposed structures and the location of all equipment, transformers, and substations, as well as all setbacks, panel sizes, and the location of property lines, signage, fences, greenbelts and screening, drain tiles, easements, floodplains, bodies of water, proposed access routes, and road right of ways. The site plan must be drawn to scale and must indicate how the Commercial Solar Energy System will be connected to the power grid.
- f. A copy of the applicant's power purchase agreement or other written agreement with an electric utility showing approval of an interconnection with the proposed Commercial Solar Energy System.
- g. A written plan for maintaining the subject property, including a plan for maintaining and inspecting drain tiles and addressing stormwater management, which is subject to the Township's review and approval.
- h. A decommissioning and land reclamation plan describing the actions to be taken following the abandonment or discontinuation of the Commercial Solar Energy System, including evidence of proposed commitments with property owners to ensure proper final reclamation, repairs to roads, and other steps necessary to fully remove the Commercial Solar Energy System and restore the subject parcels, which is subject to the Township's review and approval.
- i. Financial security that meets the requirements of this Section, which is subject to the Township's review and approval.
- j. A plan for resolving complaints from the public or other property owners concerning the construction and operation of the Commercial Solar Energy System, which is subject to the Township's review and approval.
- k. A plan for managing any hazardous waste, which is subject to the Township's review and approval.
- l. A transportation plan for construction and operation phases, including any applicable agreements with the County Road Commission and Michigan Department of Transportation, which is subject to the Township's review and approval.

- m. An attestation that the applicant will indemnify and hold the Township harmless from any costs or liability arising from the approval, installation, construction, maintenance, use, repair, or removal of the Solar Energy System, which is subject to the Township's review and approval.
- n. Proof of environmental compliance, including compliance with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act; (MCL 324.3101 et. seq.; Part 91, Soil Erosion and Sedimentation Control (MCL 324.9101 et. seq.) and any corresponding County ordinances; Part 301, Inland Lakes and Streams, (MCL 324.30101 et. seq.); Part 303, Wetlands (MCL 324.30301 et. seq.); Part 365, Endangered Species Protection (MCL324.36501 et. seq.); and any other applicable laws and rules in force at the time the application is considered by the Township
- o. Any additional information or documentation requested by the Planning Commission, Township Board, or other Township representative.

2. *System and Location Requirements.*

- a. Commercial Solar Energy Systems must be ground mounted.
- b. Commercial Solar Energy Systems must be located on parcels of land twenty (20) acres in size or larger.
- c. Commercial Solar Energy Systems are not permitted on any properties enrolled in the PA 116 Farmland and Open Space Preservation Program.
- d. Commercial Solar Energy Systems (including all solar panels, structures, and equipment) must be set back 500 feet from all lot lines and public road rights-of-way. If a single Commercial Solar Energy System is located on more than one lot, then the lot-line setbacks of this subsection do not apply to the lot lines shared by those lots.
- e. The height of the Commercial Solar Energy System and any mounts, buildings, accessory structures, and related equipment must not exceed fifteen (15) feet when oriented at maximum tilt. Lightning rods may exceed 15 feet in height, but they must be limited to the height necessary to protect the Commercial Solar Energy System from lightning.

3. *Lot Area Coverage.* No more than 20% of the total lot area may be covered by a Commercial Solar Energy System.

4. *Permits.* All required county, state, and federal permits must be obtained before the Commercial Solar Energy System begins operating.

5. *Screening.* Greenbelt screening is required around any Commercial Solar Energy System and around any equipment associated with the system to obscure, to the greatest extent possible, the Solar Energy System from any adjacent residences. The greenbelt must consist of shrubbery, trees, or other non-invasive plant species that provide a visual screen. At least 50% of the plants must be evergreen trees that are at least six feet tall at the time of planting. In lieu of a planting greenbelt, a decorative fence that is at least 50% opaque and that meets the requirements of this Ordinance applicable to fences may be used if approved by the Planning Commission.

6. *Lighting.* Lighting of the Commercial Solar Energy System is limited to the minimum light necessary for safe operation. Illumination from any lighting must not extend beyond the perimeter of the lot(s) used for the Commercial Solar Energy System. The Commercial Solar Energy System must not produce any glare that is visible to neighboring lots or to persons traveling on public or private roads.

7. *Security Fencing.* Security fencing must be installed around all electrical equipment related to the Commercial Solar Energy System, including any transformers and transfer stations. Appropriate warning signs must be posted at safe intervals at the entrance and around the perimeter of the Commercial Solar Energy System.

8. *Noise.* The noise generated by a Commercial Solar Energy System must not exceed the following limits:

- a. Forty (40) Dba Lmax, as measured at the property line of any adjacent R-1 (Residential) or B-1 (Business) zoned land in existence at the time the Commercial Solar Energy System is granted special land use approval.
- b. Forty (40) Dba Lmax, as measured at any neighboring residence in existence at the time the Commercial Solar Energy System is granted special land use approval, between the hours of 9:00 p.m. and 7:00 a.m.
- c. Forty (40) Dba Lmax, as measured at the lot lines of the project boundary.
- d. In addition to the above limitations, a sound barrier of a solid decorative masonry wall or evergreen tree berm, with trees spaced not less than 10 feet apart, must be constructed to reduce noise levels surrounding all inverters. The berm must be no more than ten (10) feet from all inverters, must be at least as tall as all inverters but not more than three (3) feet taller than the height of all inverters.

9. *Underground Transmission.* All power transmission or other lines, wires, or conduits from a Commercial Solar Energy System to any building or other structure must be located underground at a depth that complies with current National Electrical Code standards,

except for power switchyards or the area within a substation. If batteries are used as part of the Ground Mounted Solar Energy System, they must be placed in a secured container or enclosure.

10. *Drain Tile Inspections.* The Commercial Solar Energy System must be maintained in working condition at all times while in operation. The applicant or operator must inspect all drain tile at least once every three years by means of robotic camera, with the first inspection occurring before the Commercial Solar Energy System is in operation. The applicant or operator must submit proof of the inspection to the Township. The owner or operator must repair any damage or failure of the drain tile within sixty (60) days after discovery and submit proof of the repair to the Township. The Township is entitled, but not required, to have a representative present at each inspection or to conduct an independent inspection.

11. *Insurance.* The applicant or operator will maintain property/casualty insurance and general commercial liability insurance in an amount of at least \$10 million per occurrence.

12. *Decommissioning.* If a Commercial Solar Energy System is abandoned or otherwise nonoperational for a period of one year, the property owner or the operator must notify the Township and must remove the system within six (6) months after the date of abandonment. Removal requires receipt of a demolition permit from the Building Official and full restoration of the site to the satisfaction of the Zoning Administrator. The site must be filled and covered with top soil and restored to a state compatible with the surrounding vegetation. The requirements of this subsection also apply to a Commercial Solar Energy System that is never fully completed or operational if construction has been halted for a period of one (1) year.

13. *Financial Security.* To ensure proper decommissioning of a Commercial Solar Energy System upon abandonment, the applicant must post financial security in the form of a security bond, escrow payment, or irrevocable letter of credit in an amount equal to 125% of the total estimated cost of decommissioning, code enforcement, and reclamation, which cost estimate must be approved by the Township. The operator and the Township will review the amount of the financial security every two (2) years to ensure that the amount remains adequate. This financial security must be posted within fifteen (15) business days after approval of the special land use application.

14. *Extraordinary Events.* If the Commercial Solar Energy System experiences a failure, fire, leakage of hazardous materials, personal injury, or other extraordinary or catastrophic event, the applicant or operator must notify the Township within 24 hours.

15. *Annual Report.* The applicant or operator must submit a report on or before January 1 of each year that includes all of the following:

- a. Current proof of insurance;
- b. Verification of financial security; and
- c. A summary of all complaints, complaint resolutions, and extraordinary events.

16. *Inspections.* The Township may inspect a Commercial Solar Energy System at any time by providing 24 hours advance notice to the applicant or operator.

17. *Transferability.* A special use permit for a Commercial Solar Energy System is transferable to a new owner. The new owner must register its name and business address with the Township and must comply with this Ordinance and all approvals and conditions issued by the Township.

18. *Remedies.* If an applicant or operator fails to comply with this Ordinance, the Township, in addition to any other remedy under this Ordinance, may revoke the special land use permit and site plan approval after giving the applicant or operator notice and an opportunity to be heard. Additionally, the Township may pursue any legal or equitable action to abate a violation and recover any and all costs, including the Township’s actual attorney fees and costs.

B. Commercial Solar Energy Systems under PA 233.

On or after November 29, 2024, if PA 233 of 2023 is in effect, then the following provisions apply to Commercial Solar Energy Systems with a nameplate capacity of 50 megawatts or more. To the extent these provisions conflict with the provisions in Section 434 above, these provisions control as to such Commercial Solar Energy Systems. This subsection does not apply if PA 233 of 2023 does not take effect and does not apply to Commercial Solar Energy Systems with a nameplate capacity of less than 50 megawatts.

1. *Setbacks.* Commercial Solar Energy Systems must comply with the following minimum setback requirements, with setback distances measured from the nearest edge of the perimeter fencing of the facility:

Setback Description	Setback Distance
Occupied community buildings and dwellings on nonparticipating properties	300 feet from the nearest point on the outer wall
Public road right-of-way	50 feet measured from the nearest edge of a public road right-of-way
Nonparticipating parties	50 feet measured from the nearest shared property line

2. *Fencing.* Fencing for the Commercial Solar Energy System must comply with the latest version of the National Electric Code as November 29, 2024, or as subsequently amended.

3. *Height.* Solar panel components must not exceed a maximum height of 25 feet above ground when the arrays are at full tilt.

4. *Noise.* The Commercial Solar Energy System must not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.

5. *Lighting.* The Commercial Solar Energy System must implement dark sky-friendly lighting solutions.

6. *Environmental Regulations.* The Commercial Solar Energy System must comply with applicable state or federal environmental regulations.

7. *Host community agreement.* The applicant shall enter into a host community agreement with the Township. The host community agreement shall require that, upon commencement of any operation, the Commercial Solar Energy System owner must pay the Township \$2,000.00 per megawatt of nameplate capacity. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the local unit and the applicant.

Section 3. Amend Section 306.

Section 306(c) of the Zoning Ordinance, entitled “Special Land Uses” for the AG Agricultural Enterprise District, is amended to add “Commercial Solar Energy Systems subject to Section 434” as a special land use in the AG district.

Section 4. Validity and Severability.

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 5. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 6. Effective Date.

This Ordinance takes effect seven (7) days after publication as provided by law.

LEROY TOWNSHIP

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE
TO PERMIT AND REGULATE WIND ENERGY CONVERSION SYSTEMS AND TO
AMEND SPECIAL LAND USE PERMIT REGULATIONS**

The Township of Leroy ordains:

Section 1. Add Definitions to Section 202

The following definitions are added to Section 202 of the Zoning Ordinance, and will be placed in the sections of the Zoning Ordinances identified below so that all definitions are in alphabetical order:

Ambient: The sound pressure level exceeded 90% of the time over a 96-hour measurement period

ANSI: American National Standards Institute.

Commercial Wind Energy Conversion Systems: A wind energy conversion system designed and built to provide electricity to the electric utility grid for resale to consumers.

dB(A): The sound pressure level in decibels. Refers to the "a" weighted scale.

dB(C): The sound pressure level in decibels. Refers to the "c" weighted scale.

Decibel: A unit of measure used to express the magnitude of sound pressure and sound intensity.

Decommission: To remove or retire from active service.

Equivalent Sound Level (or Leq): The sound level measured in decibels and averaged on an energy basis over a specific duration.

Height of Structure: The height of the structure is to the highest point on the tip of a fully vertical rotor blade from ground level.

IEC: International Electrotechnical Commission. The IEC is the leading global organization that prepares and publishes international standards for all electrical, electronic and related technologies.

Instantaneous Sound Pressure: Total instantaneous pressure, in a stated frequency band, at a point in the presence of a sound wave, minus the atmospheric pressure at that point measured in unit pascal (Pa)

ISO: International Organization for Standardization. ISO is a network of the national standards institutes of 156 countries.

Non-Participating Parcel: A parcel of land within the Township that is not subject to a wind turbine lease or easement or other contractual agreement at the time an application is submitted for a Special Land Use Permit for the purposes of developing and constructing a commercial wind energy conversion system.

Participating Parcel: A parcel of land within the Township that is subject to a wind turbine lease or easement or other contractual agreement at the time an application is submitted for a Special Land Use Permit for the purposes of developing and constructing a commercial wind energy conversion system.

Pasquill: An atmospheric stability class to categorize the amount of turbulence present.

Private WECS: A WECS that supplies energy to a structure on the parcel on which it is located and that does not primarily involve the sale of electricity or communication services off the parcel (including to an electric grid).

Rotor: An element of a wind energy system that acts as a multi-bladed airfoil assembly, thereby extracting through rotation, kinetic energy directly from the wind.

SCADA (Supervisory Control and Data Acquisition): A computer system that monitors and controls Wind Energy Conversion System units and data.

Shadow Flicker: Alternating changes in light intensity caused by the moving blade of a wind energy system casting shadows on the ground and stationary objects, such as a dwelling or other structure.

Sound Pressure: Root mean square of the instantaneous sound pressures in a stated frequency band and during a specified time interval, unless another time-averaging process is indicated measured in unit.

Stray Voltage: Stray voltage refers to small voltage differences that can exist between two surfaces that are accessible to animals (stanchion, waterer, floor, etc.). When an animal touches both surfaces simultaneously, a small electric current will flow through its body. If the current is high enough, it can be felt by the animal and may cause behavioral changes.

Sound Pressure Level (SPL): Twenty times the common logarithm of the ratio of the sound pressure to the reference sound pressure of 20 micropascals measured in decibel (dB). Unless expressed with reference to a specific weighing network (such as dB(A)), the unit dB refers to an un-weighted measurement.

Wind Energy Conversion System (WECS): A wind energy conversion system which converts wind energy into electricity through the use of a wind turbine generator and includes the turbine, blades, and tower as well all related electrical equipment, building or other structures, including wiring to interconnect the wind energy system to the electrical transmission grid.

Wind Site Assessment: An assessment to determine the wind speeds at a specific site and the feasibility of using that site for construction of a wind energy system.

Section 2. Amend Section 433, entitled “Wind Energy Conversion Systems”

Section 433 of the Zoning Ordinance is hereby amended to read, in its entirety, as follows:

Section 433. Wind Energy Conversion Systems.

1. General Provisions. All WECS are subject to the following requirements:

a. All WECS must conform to the provisions of this Ordinance; all county, state, and federal regulations and safety requirements; all applicable building codes, county codes, and airport area zoning ordinances; and all applicable industry standards, including those of the American National Standards Institute (ANSI).

b. The Township may revoke any approvals for, and require the removal of, any WECS that does not comply with this Ordinance.

c. WECS are permitted in the Township in the following districts, subject to this Section and other applicable provisions of the Zoning Ordinance:

Type of System	Sub-Type of System	Zoning District	Special Use Permit
Private WECS		All zoning districts as accessory use	Not required
Commercial WECS	WECS Systems	AG	Required
	WECS Testing Facilities	AG	Required
Transmission and utility lines		All zoning districts	Not required
Office, manufacturing, or sales buildings related to WECS		Need to determine districts	Not required

2. Private WECS.

a. Private WECS. Private WECS are permitted as an accessory use in all zoning districts. A building permit is required for the installation of any Private WECS.

b. Noise Control. Private WECS must comply with the noise limits set forth in subsection 4 of this Ordinance.

c. Height; Ground Clearance. The total height of a Private WECS with the blade fully extended must not exceed 125 feet in the Ag district, 80 feet in the Residential district and 300 feet in all other districts. The minimum clearance from ground level to the blade at its lowest point

must be 40 feet. The minimum clearance from any structure to the blade at its lowest point must be 40 feet.

d. Setback. The minimum setback of a Private WECS from any property line or road right-of-way must equal three times the total height of the unit (with the WECS blade at its highest point).

3. Commercial WECS: Application Requirements

a. Applicability. The requirements in this subsection 3 apply to all Commercial WECS and WECS Testing Facilities. Any reference to “Commercial WECS” in this subsection also includes WECS Testing Facilities.

b. Township approvals required. A special land use permit and site plan approval are required for all Commercial WECS. For Commercial WECS, the Planning Commission shall make a recommendation on a special land use permit request and the Township Board shall have the final authority to approve, deny or approve with conditions a special land use permit.

c. Application contents. An application for a special land use permit for a Commercial WECS must include all of the following. The Township is not required to accept or process an incomplete or facially insufficient application.

1. *Fee.* Application fee in an amount set by resolution of the Township Board.
2. *Parcel Information.* A list of all parcel numbers that will be used by the Commercial WECS; documentation establishing ownership of each parcel; and any lease agreements, land contracts, licenses, easements, or purchase agreements for the subject parcels.
3. *Operations Agreement.* An operations agreement setting forth the operations parameters, the name and contact information of the certified operator, the applicant’s inspection protocol, emergency procedures, and general safety documentation.
4. *Visual Depiction.* Current photographs of the subject property and a visual depiction (computer generated) of the subject property with the Commercial WECS installed, viewed from multiple perspectives.
5. *Site Plan.* A site plan that complies with Article 21 of the Zoning Ordinance and that includes:
 - i. the locations and heights of all proposed structures and the location of all equipment, transformers, substations, towers, electrical lines (underground), guy wires, guy wire anchors, and other structures;
 - ii. the locations and height of all adjacent buildings, structures, and above-ground utilities;

- iii. the location, dimensions, composition, and proposed maintenance plan for all access driveways;
 - iv. all setbacks and the location of property lines, signage, fences, greenbelts and screening, drain tiles, easements, floodplains, bodies of water, and road rights of way; and
 - v. a depiction of how the Commercial WECS will be connected to the power grid.
6. *Power Purchase Agreement.* A copy of the applicant's power purchase agreement or other written agreement with an electric utility showing approval of an interconnection with the proposed Commercial WECS.
7. *Maintenance Plan.* A written plan for maintaining the subject property, including a plan for maintaining and inspecting drain tiles and addressing stormwater management.
8. *Decommissioning Plan.* A decommissioning and land reclamation plan describing the actions to be taken following the abandonment or discontinuation of the Commercial WECS, including evidence of proposed commitments with property owners to ensure proper final reclamation, repairs to roads, and other steps necessary to fully remove the Commercial WECS and restore the subject parcels. The decommissioning plan must include the following information:
 - i. the useful life of each type and size of turbine in the project;
 - ii. the anticipated life of the project;
 - iii. the estimated decommissioning costs net of salvage value in current dollars;
 - iv. a method of ensuring that funds will be available for decommissioning and restoration;
 - v. the anticipated manner in which the project will be decommissioned and the site restored to original condition; and
 - vi. a detailed policy and process book for the repair, replacement, and removal of malfunctioning, defective, worn, or non-compliant WECS components.
9. *Waste.* A plan for managing any hazardous waste and other refuse from the construction or operation of the Commercial WECS, including a description of the disposal plan for obsolete, damaged, or retired equipment (including turbines).

10. *Security Plan.* A description of the security system that will be used to protect the Commercial WECS from trespassing and vandalism and to protect the public health, safety, and welfare.
11. *Transportation Plan.* A transportation plan for construction and operation phases, including any applicable agreements with the County Road Commission and Michigan Department of Transportation, which is subject to the Township's review and approval.
12. *Environmental Assessment.* A written environmental assessment or impact study conducted by a qualified professional, which must evaluate the impact of the proposed Commercial WECS on rare or endangered species, eagles, birds, wildlife, rare or endangered plant species, and waterways. The study must be based on data from within a three-mile radius of the Township's boundaries.
13. *Sound Modeling Report.* A sound modeling report for the project, which must include a map with sound contour lines for dB(A) Leq 1 second and dB(C) Leq 1 second sound emitted from the proposed WECS. The study must include a map (at 1:8000 scale or bigger) showing sound contours at 5 dB intervals, proposed wind turbine locations, participating and non-participating properties, and all occupied and unoccupied buildings. The applicant must identify each operational component of a wind turbine that will produce sound that will be audible at the property line of a non-participating parcel. The predicted values must include cumulative sound levels created by all existing, approved, and proposed turbines. The sound model and accompanying map must extend out to the 30 dB sound pressure contour line or 1 mile from a wind turbine generator, whichever is furthest from the nearest wind turbine.

The modeling and analysis must confirm that the Commercial WECS will not exceed the maximum permitted sound pressure levels or the maximum permitted infrasonic acoustic pressure oscillations. Modeling and analysis must:

- i. comply with IEC 61400 and ISO 9613,
- ii. be set for the worst-case environment, such as high humidity (90%), frozen ground (non-porous), no ground cover (G=0), low temperature (below 0°C), and stable wind (Pasquill stability classes E and F), and
- iii. include the WECS Manufacturer's uncertainty factor (minimum 2 dB) and the ISO 9613 uncertainty factor (minimum 3 dB).

Modeling can be based on the WECS manufacturer data. However, measured data from existing and similar WECS facilities must be submitted with the modeling report.

14. *Background Sound Study.* A written pre-construction background (ambient) sound study performed by a qualified professional, which must indicate the Leq 1, Leq 10, and Leq 90 sound levels using A-weighting and C-weighting, with data collected at the nearest non-participating property line. Measurement procedures must follow the most recent versions of ANSI S12.18 and ANSI S12.9, Part 3 guideline (with an observer present). Measurements must be taken using an ANSI or IEC Type 1 Precision Integrating Sound Level Meter. The study must include a minimum of a four-day (96 hour) testing period, including one Sunday, and produce data that includes a variety of ground and hub height wind speeds, at low (between 6-9 mph) medium (between 9-22 mph), and high (greater than 22 mph). The sound study must report for the period of the monitoring all topography, temperature, weather patterns, sources of ambient sound, and prevailing wind direction.
15. *Economic Impact Study.* A written economic impact study for the area affected by the Commercial WECS, including a forecast of the impact on jobs, tax revenue, lease payments, property values, and the growth of residential and business areas within the Township.
16. *Fire and Emergency Plan.* A written fire suppression and emergency response plan, which must include an unredacted safety manual for each type and size of turbine proposed in the project, as well as safety data sheets that include the type and quantity of all materials used in the operation of all equipment, including all lubricants and coolants.
17. *Stray Voltage Assessment.* A written report of stray voltage analyses, which must include a preconstruction stray voltage test performed by a qualified professional on all Michigan Department of Agriculture & Rural Development (MDARD) registered livestock facilities located within a one-mile radius of the parcels on which the Commercial WECS will be constructed. The applicant must seek written permission from property owners prior to conducting testing on their property. The applicant is not required to perform testing on property for which the owners have refused to grant permission to conduct the testing.
18. *Lighting Plan.* A written lighting plan identifying the planned number and location of lights, light color, activation methods, and whether any lights blink. The lighting plan must comply with lighting requirements in this Ordinance.
19. *Shadow Flicker Analysis.* A written shadow flicker analysis and report describing potential shadow flicker created by each proposed wind turbine

at all non-participating property lines with direct line-of-sight to a wind turbine.

20. *Automatic De-Icing System.* A description of the automatic de-icing system that the Commercial WECS will use to detect, heat, and melt ice on all turbine blades.
21. *Security and Escrow.* Deposit of the financial security and escrow accounts as required by this Ordinance.
22. *Insurance.* Proof of the insurance required under this Ordinance.
23. *Complaint Resolution Plan.* A plan for resolving complaints from the public or other property owners concerning the construction and operation of the Commercial WECS in compliance with this Ordinance.
24. *Compliance Certification.* Certification that the applicant has complied or will comply with all applicable state and federal laws and regulations. The applicant must provide a list of all permits, approvals, or authorizations required for the WECS by any local, county, state, or federal government or their agencies. The applicant must submit copies of all permits and approvals that have been obtained or applied for at the time of the application. Note: Land enrolled in Michigan Farmland Preservation Program through Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116, must receive approval from MDARD to locate a WECS on the property and provide documentation to the Township prior to construction. **All permits and approvals must be obtained before the applicant or operator begins any phase of construction**, as further set forth in this Ordinance.
25. *Indemnification.* An attestation that the applicant will indemnify and hold the Township harmless from any costs or liability arising from the approval, installation, construction, maintenance, use, repair, or removal of the Commercial WECS.
26. *Additional Compliance Information.* To the extent not already provided in the items above, a description of how the Commercial WECS will comply with the standards and requirements of this Ordinance.

d. Duty to supplement. The applicant has a continuing duty to supplement its application with information or documents that fulfill any of the application requirements. The applicant must also provide any additional information or documentation requested by the Planning Commission, Township Board, or other Township representative at any time, including after approval of the Commercial WECS.

e. Adequate review time. The applicant must submit all application materials at least 30 days before any Planning Commission meeting at which the application is to be discussed. The

Planning Commission and Township are not obligated to consider any material that is not timely submitted. The Planning Commission or Township staff may, however, require the applicant to provide additional or supplemental information or documents at any time.

f. Facially insufficient applications. The Planning Commission is not obligated to consider or hold a public hearing on an application if the proposed Commercial WECS, based on the application and supporting materials, does not meet the requirements of this Ordinance as determined by the Township Zoning Administrator. By way of example and not limitation, if a proposed Commercial WECS will not include automatic de-icing systems on all turbines as required under this Ordinance, then the Zoning Administrator may determine that the application is facially insufficient. The applicant may appeal the Township Zoning Administrator's decision of facial insufficiency to the Zoning Board of Appeals.

4. **Commercial WECS: Noise Regulations**

a. Maximum Noise Levels. Noise levels produced by the WECS must not exceed 40 dB(A) Leq 1 second or 50 dB(C) Leq 1 second at any time on a non-participating property. The Township Board may, in its sole discretion, allow a higher noise level only if the owner of the non-participating property signs a waiver consenting to a specific higher noise level and the waiver is recorded with the County Register of Deeds.

b. Noise Compliance. The Township may, from time to time, measure whether the Commercial WECS is complying with the maximum noise levels under this Ordinance. Compliance measurements are the financial responsibility of the applicant or operator and must be independently performed by a qualified professional selected by the Township.

c. Noise Measurement. The measurements require an observer to be present. All noise measurements will exclude contributions from wind on microphone, tree/leaf rustle, flowing water, and natural sounds such as tree frogs and insects. The wind velocity at the sound measurement microphone must be between 2m/s (4.5 mph) and 4.5m/s (9 mph) during measurements. During testing of elevated sources, including WECS systems, the atmospheric profile must be relatively calm, Pasquill Stability Class D or calmer during the day and Class E or calmer during the Night.

d. Noise Level During Measurements. Noise measurements will be conducted consistent with ANSI S12.18 Procedures for Outdoor Measurement of Sound Pressure Level ANSI S12.9 Part 3 (Quantities and Procedures for Description and Measurement of Environmental Sound – Part 3: Short-term Measurements with an Observer Present), using Type 1 meter, A-weighting, Fast Response.

e. Tonal Noise. Tonal noise will be assessed using unweighted (linear) 1/3 octave band noise measurements with time-series, level-versus-time data acquisition. A measurement constitutes prima facie evidence of a tonal noise condition if at any time (single sample or time interval) the noise spectrum of the noise source under investigation shows a 1/3 octave band exceeding the average of the two adjacent bands by 15 dB in low one-third octave bands (10–125 Hz), 8 dB in middle-frequency bands (160–400 Hz), or 5 dB in high-frequency bands (500–10,000 Hz).

f. Sample Metric and Rate. Noise level measurements for essentially continuous non-time-varying noise sources will be acquired using the Leq(Fast) metric at a sample rate of 1-per-second. For fluctuating or modulating noise sources, including wind turbines, a 10-per-second sample rate will be used. These sample rates apply to dB(A), dB(C) and unweighted 1/3 octave band measurements.

g. Reporting. Measurements of time-varying dB(A) and dB(C) noise levels and 1/3 octave band levels will be reported with time-series level-versus-time graphs and tables. Graphs will show the sound levels graphed as level-versus-time over a period of time sufficient to characterize the noise signature of the noise source being measured. For 1-per-second sampling, a 5-minute-or-longer graph will be produced. For 10-per-second sampling, a 30-second-or-longer graph will be produced. Reporting and graphs must clearly identify what was heard and when the noise source is dominating the measurement. The report must include all noise data and information on weather conditions and Pasquill Class if an elevated source is measured. All measured data must be accompanied by SCADA data confirming full power operation during testing of the WECS systems.

h. Measurable Infrasonic Acoustic Sound Pressure Levels. Measurable infrasonic acoustic sound pressure level from the WECS must be less than 50 dB as totalized in the range of 0.1-20 Hz, using low-pass filtering, or by computing the log-subtraction of the Fast, C-weighted (dB(C) level from the Fast, unweighted SPL, at any location, outdoors or indoors, on non-participating property. Time-level-averaging, if used, must be limited to 1-second or faster sampling. A minimum sampling rate of at least 10 times per second is required.

i. Post-Construction Sound Survey. At least two months after the Commercial WECS is operational, the Township may select a third-party qualified professional to survey the sound pressure levels of the Commercial WECS. The applicant and operator must cooperate with the survey. All costs of the survey, including the professional's fees, will be paid by the applicant or operator. The Township will determine the locations at which sound levels are to be measured. To the extent possible, the study will follow the procedures for Type 1 Sound Level Testing and ANSI S12.9 Part 3 (with an observer present) and ANSI S12.18. All sound pressure levels will be measured with instruments that meet ANSI or IEC Type 1 Precision integrating sound level meter performance specifications. The applicator or operator must supply all data requested by the Township or the third party conducting the survey, specifically including one-second interval SCADA data and any other SCADA data that is requested.

5. Commercial WECS: Site & Use Standards and Requirements

a. Setback. The minimum setback from any property line of a Non-Participating Landowner or any road right-of-way is five times the Tip Height of each turbine in the Commercial WECS. Additionally, each turbine must be located at least 2.5 miles from the nearest lake or body of water.

b. Maximum Height. The maximum height of a WECS with the blade fully extended must not exceed 400 feet.

c. Shadow Flicker. A Commercial WECS must not produce any shadow flicker on any road right-of-way or non-participating properties unless the record owners of all non-participating properties have signed a release, which must be recorded with the County Register of Deeds.

d. Ground Clearance. The minimum clearance from ground level to the blade at its lowest point must be at least 100 feet.

e. Blade Clearance. Blade arcs created by a WECS must have a minimum of 100 feet of clearance over and away from any structure.

f. Braking. Each WECS must be equipped with a braking or equivalent device, capable of stopping the WECS operation in high winds with or without SCADA control. The braking system must be effective during complete grid power failure when WECS are unable to communicate with SCADA control or receive power.

g. Appearance. All turbines and towers must be painted a non-obtrusive, neutral color, such as beige, gray, or off-white and must be non-reflective. All turbine bases and blades must be the same color and must be consistent with the color of other Commercial WECS in the Township. No advertisements, graphics, or striping are permitted on the blades or towers. The applicant is encouraged to select anti-icing paint that prevents the formation of ice on the surface of the turbine's blades.

h. Automatic De-Icing System. All turbines must be equipped with technology that automatically de-ices the turbine blades. The system must detect ice and heat the blades, such as through the use of built-in carbon heating mats or through the circulation of hot air.

i. Signage. The site of the Commercial WECS must have (1) a sign for each turbine or tower posted near a public road right-of-way (on security fencing near any fence entryway); and (2) a sign attached to the base of each turbine or tower. The signs must be at least two square feet in area and must include the following information:

1. A warning of high voltage.
2. A warning of loud noise.
3. Notice of potential health risks.
4. Names of the applicant, operator, and real property owner.
5. Emergency telephone number, alternate telephone number, and web address.
6. Unique identification, such as an address. If more than one WECS is on an access drive, units must have further identification so they can be easily identified by emergency responders.

j. Security Fencing. Security fencing must be installed around all turbines and all electrical equipment related to the Commercial WECS, including any transformers and transfer stations. The applicant and operator must comply with the security plan filed with the special land use applications, with any amendments required by the Planning Commission at the time of approval of the special land use permit.

k. No Communication Interference. A Commercial WECS must not interfere with any radio, television, or other communication systems. If the Township or the applicant or operator of the Commercial WECS receive a complaint about communication interference, the applicant or operator must resolve the interference immediately and provide proof that the interference has been resolved within 90 days.

l. Underground Lines. All electrical connection systems and lines from the Commercial WECS to the electrical grid connection must be located underground at a depth of at least 20 feet below grade and at such deeper depth as may be required by applicable industry standards. The Planning Commission may grant exceptions to this requirement if the topography of the site makes underground lines impossible or unreasonably impracticable. The cost of locating lines underground is not a factor in determining impossibility or impracticability.

m. Maintenance. All Commercial WECS must be maintained in good repair and good condition at all times. The applicant or operator must maintain a maintenance log and allow the Township to review the maintenance log at any time upon request.

n. Lighting. Towers may be lit only to the minimum extent required by the FAA. All tower lighting required by the FAA must be shielded to the extent possible to reduce glare and visibility from the ground. The tower shaft must not be illuminated unless required by the FAA. RADAR activated lighting must be used if allowed by the FAA.

o. Access Driveways. The Commercial WECS must be accessible by one or more access driveways to allow emergency vehicles in the event of a fire or other emergency. Access driveways must be located at least 1,000 feet from any non-participating parcel, unless the owner of the non-participating parcel has signed a waiver that is recorded with the County Register of Deeds.

p. Road Repairs. If any public or private roads are damaged as a result of the construction or operation of the Commercial WECS, the applicant or operator must repair the damage at their expense pursuant to all County Road Commission requirements. Repairs must be performed within 90 days after construction is complete (but no more than 365 days after the damage occurs) or within 90 days after the damage occurs if the construction is already complete.

q. Compliance with Plans. The applicant and operator must comply with all written plans submitted with the special land use application, with any modifications or additions required by the Planning Commission as part of its approval.

6. Commercial WECS: Additional Requirements

a. Permits Required Before Construction Begins. All federal, state, county, and local permits and approvals must be obtained before the applicant or operator begin any phase of

construction, including breaking ground or initiating construction on any portion of the WECS, such as the construction of turbine bases. By way of example and not limitation, all FAA approvals and permits for the turbines must be issued and in effect before any construction of turbine bases may begin, even if FAA approval is not required for the bases. Copies of these approvals must be provided to the Township as they are obtained.

b. Insurance. The applicant or operator must obtain and maintain insurance in an amount of at least \$10,000,000 for the Commercial WECS, which must cover, at a minimum, liability, property damage, and livestock damage. The applicant or operator must provide proof of insurance to the Township on an annual basis.

c. Financial Security. To ensure available funding for the removal of the Commercial WECS when it is abandoned or non-operational and restoration of the property, the applicant must post acceptable financial security. The security must be in the form of (1) a cash deposit, or (2) performance (surety) bond selected by the Township Board, and is subject to all of the following requirements:

1. The security must remain in effect until the Commercial WECS is decommissioned.
2. The amount of the cash deposit or surety bond must be at least \$650,000 per turbine.
3. The amount of the security will be updated every five years at the rate of 1.5 times CPI (consumer price index) for each year.
4. The security must be deposited or filed with the Township Clerk no later than 10 business days after a special land use permit has been approved.
5. Failure to keep financial security in full force and effect at all times while the Commercial WECS exists constitutes a material violation of the special land use permit for which the Township may pursue any remedies available under this Ordinance, including revocation of the special land use permit.

d. Decommissioning.

1. When any turbine or other component of the Commercial WECS ceases to actively produce power for 180 days or longer, the applicant, operator, or real property owner must remove the turbine or component and restore the property in accordance with the decommissioning plan filed with the Township as part of the special land use application. Upon request, the Township may grant a 90-day extension if the applicant or operator demonstrates that the turbine will be put back into use. The removal and restoration must be complete within 180 days after non-operation of the turbine.
2. The applicant, operator, or owner must obtain all permits necessary for the removal of a decommissioned turbine or component, including any necessary demolition permits.

3. All underground wiring for the removed turbine or components must be removed upon decommissioning.
4. If the applicant, operator, or owner fails to timely complete removal and restoration when required under this section, then the Township may have the turbine or other components removed and the property restored at the expense of the applicant or operator, drawing first from the financial security posted under this section. If the financial security is insufficient to fully fund removal and restoration, then the applicant, operator, and real property owner are jointly and severally liable for the remaining costs.
5. In addition to the Township's costs of removal and restoration, the Township is also entitled to recover from the applicant, operator, and real property owner all fees and expenses of the Township's attorneys, engineers, consultants, and other professionals whose services are used in connection with removal and restoration.
6. Failure by the applicant, operator, or owner to timely complete removal and restoration when required under this section constitutes a violation of this Ordinance. The Township may pursue all remedies, including enforcement action, fines, and revocation of the special land use permit.
7. The property owner may waive the complete caisson removal and remove the caisson to a depth of eight feet if the property owner signs a waiver that is recorded with the Montcalm County Register of Deeds.

e. Escrow account. The applicant must establish an escrow account when it submits its application for a Commercial WECS. The amount must equal an estimate of the total costs of (1) reviewing and processing the special use permit application and site plan, including publication and administrative costs and costs of the Township Attorney, Township Planner, and Township engineer; and (2) any professional studies or report prepared by the Township or on the Township's behalf to assist with its evaluation of the application.

The Township may draw from the escrow account to reimburse any of its costs or expenses incurred in reviewing, processing, and evaluating the application. The Township may require the applicant to replenish the escrow account at any time to ensure a sufficient balance.

If the Township instructs the applicant to replenish the escrow account and the applicant fails to do so within 14 days after receiving notice, then the Township has no further obligation to process the applicant's application until the escrow account is replenished.

Any funds in the escrow account that exceed the Township's actual costs after the application is approved or denied (and after any and all appeals have been exhausted) will be returned to the applicant. The Township will provide an itemized statement to the applicant upon applicant's request.

f. Complaint Resolution. Subject to the Township's review and approval during the special land use approval process, the applicant or operator must comply with a complaint resolution process. At a minimum, the complaint resolution process must include the following:

1. The applicant or operator will, at its expense, use a website, telephone line, or third-party service to receive complaints about the Commercial WECS.
2. The applicant or operator will use its best efforts to respond to and resolve any complaints.
3. The applicant or operator will establish an escrow account with the Township with a minimum of \$25,000 balance at all times to pay the cost of investigating complaints.
4. The applicant or operator will forward each complaint, along with the applicant's or operator's response to each complaint, to the Township within 15 days after each complaint is received.
5. The Township will investigate each complaint, with all expenses (including professional fees) drawn from the escrow account.
6. At the Township's request, the applicant or operator must provide the Township with SCADA data from any turbine related to the complaint, which must include meteorological and performance data such as temperature, humidity, power output, wind velocities, and nacelle vector.
7. Following its investigation, if the Township has reason to believe that that the applicant or owner has violated this Ordinance, the Township may take any actions permitted by law, including revoking the special land use permit following notice and an opportunity to be heard.

g. Change in Ownership. A special land use permit granted for a Commercial WECS is transferrable. The proposed new WECS owner/operator must register with the Township Clerk before the transfer of ownership or operation of the WECS. The new WECS owner/operator must comply with all requirements of this Ordinance and any special land use permit issued pursuant to this section and must maintain a financial security guarantee as required under this section.

h. Extraordinary Events. If the Commercial WECS experiences a failure, fire, blade detachment, ice throw, leakage of hazardous materials, vandalism, property damage, personal injury, or other extraordinary or catastrophic event, the applicant or operator must notify the Township within 24 hours.

i. Annual Report. The applicant or operator must submit a written report on or before January 1 of each year that includes all of the following:

1. Current proof of insurance;

2. Verification of financial security;
3. A summary of all complaints, complaint resolutions, and extraordinary events; and
4. A description of how the applicant or operator has complied with the written plans submitted in connection with its application.

7. Violations of Ordinance

- a. Following notice and an opportunity to be heard, the Township may revoke any approvals for, and require the removal of, any WECS that does not comply with this Section.
- b. In addition to any other remedies in this section, violations of this Section also constitute a municipal civil infraction in accordance with this Ordinance. Each day that a violation occurs or continues constitutes a separate offense and is subject to penalties or sanctions as a separate offense.
- c. In addition to any other remedies set forth in this Ordinance, the Township may bring an action for damages or for an injunction or other action to restrain, prevent, or abate any violation of this Section.

8. WECS under PA 233.

On or after November 29, 2024, if PA 233 of 2023 is in effect, then the following provisions apply to WECS with a nameplate capacity of 100 megawatts or more. To the extent these provisions conflict with the provisions in Section 433 above, these provisions control as to such WECS. This subsection does not apply if PA 233 of 2023 does not take effect and does not apply to WECS with a nameplate capacity of less than 100 megawatts.

- a. *Setbacks.* WECS must comply with the following minimum setback requirements, with setback distances measured from the center of the base of the wind tower:

Setback Description	Setback Distance
Occupied community buildings and dwellings on nonparticipating properties	2.1 times the maximum blade tip height to the nearest point on the outside wall of the structure
Public road right-of-way	1.1 times the maximum blade tip height to the center line of the public road right-of-way
Nonparticipating property lines	1.1 times the maximum blade tip height

Residences and other structures on participating properties	1.1 times the maximum blade tip height to the nearest point on the outside wall of the structure
Overhead communication and electric transmission, not including utility service lines to individual houses or outbuildings	1.1 times the maximum blade tip height to the center line of the easement containing the overhead line

b. *Shadow Flicker.* Each wind tower is sited such that any occupied community building or nonparticipating residence will not experience more than 30 hours per year of shadow flicker under planned operating conditions as indicated by industry standard computer modeling.

c. *Height.* Each wind tower blade tip does not exceed the height allowed under a Determination of No Hazard to Air Navigation by the Federal Aviation Administration under 14 CFR part 77.

d. *Noise.* The WECS does not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.

e. *Lighting.* The WECS is equipped with a functioning light-mitigating technology. To allow proper conspicuity of a wind turbine at night during construction, a turbine may be lighted with temporary lighting until the permanent lighting configuration, including the light-mitigating technology, is implemented. The commission may grant a temporary exemption from the requirements of this subparagraph if installation of appropriate light-mitigating technology is not feasible. A request for a temporary exemption must be in writing and state all of the following:

1. The purpose of the exemption.
2. The proposed length of the exemption.
3. A description of the light-mitigating technologies submitted to the Federal Aviation Administration.
4. The technical or economic reason a light-mitigating technology is not feasible.
5. Any other relevant information requested by the commission.

f. *Radar Interference.* The WECS meets any standards concerning radar interference, lighting, subject to subparagraph (e), or other relevant issues as determined by the commission.

g. *Environmental Regulations.* The WECS must comply with applicable state or federal environmental regulations.

h. *Host community agreement.* The applicant shall enter into a host community agreement with the Township. The host community agreement shall require that, upon commencement of any operation, the WECS owner must pay the Township \$2,000.00 per

megawatt of nameplate capacity. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the local unit and the applicant.

Section 3. Amend Section 908

Section 908 of the Township's Zoning Ordinance is hereby amended to revise section 908 to read, in its entirety, as follows:

A) Will be harmonious with and in accordance with the Township Master Plan. In order to be considered "harmonious and in accordance", the Special Use proposal must:

- 1) Be consistent with the relevant Goal and Objectives in Chapter 3 of the Master Plan.
- 2) Not hinder the implementation of the Future Transportation Plan, as described in Chapter 4 of the Master Plan.
- 3) Positively promote the vision described for the Future Land Use category that the use will be located in, as described in Chapter 5 of the Master Plan, as well as on the Future Land Use Map.

B) Will be designed, constructed, operated, and maintained so as to be safe, harmonious and appropriate in appearance with the existing or intended character of the general vicinity. Factors affecting this standard include noise, vibration, odor, lighting, traffic, garbage, large gatherings of people, water runoff, ecosystem degradation, agricultural system damage, and other similar off-site impacts of a use.

C) Will be a substantial improvement to property in the general vicinity and an economic, cultural, or environmental asset to the community as a whole. In evaluating this criteria, the Planning Commission shall compare the site to its current state at the time of application, not to hypothetical alternative land uses other than the proposed Special Use.

D) Will be served adequately, based on the anticipated needs of the use in question, by existing public facilities and services, such as roads, police and fire protection, drainage structures, parking lots, refuse disposal, water and sewer utilities, non-motorized pathways/sidewalks, communications infrastructure, public transportation, waste removal, and schools.

- 1) This standard shall not be an impediment to approving low intensity, rural uses that do not need some of the public services listed, or uses that provide their own equivalent of the service in question (such as a septic system).
- 2) The Planning Commission may also require upgrades to public services or infrastructure directly related to the proposal as a condition of Special Use approval, or may place conditions on an approval that mitigate the impact of the use (or the construction of the use) on public services or infrastructure.

E) Will be consistent with the Purpose and Intent of the Zoning District the Special Use is located within.

Section 4. Amend Section 306

Section 306(c), entitled “Special Land Uses” for the AG Agricultural Enterprise District, is amended to add “Commercial WECS subject to Section 433” as a special land use in the AG district.

Section 5. Validity and Severability.

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 6. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are repealed to the extent necessary to give this Ordinance full force and effect.

Section 7. Effective Date.

This Ordinance takes effect seven (7) days after publication as provided by law.

LEROY TOWNSHIP

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE
TO REGULATE UTILITY-SCALE BATTERY ENERGY STORAGE SYSTEMS**

The Township of Leroy ordains:

Section 1. Add Definitions to Section 202.

The following definitions are added to Section 202 of the Zoning Ordinance, and will be placed in the Zoning Ordinances so that all definitions are in alphabetical order:

- A. Battery management system: An electronic regulator that manages a Utility-Scale Battery Energy Storage System by monitoring individual battery module voltages and temperatures, container temperature and humidity, off-gassing of combustible gas, fire, ground fault and DC surge, and door access and capable of shutting down the system before operating outside safe parameters.
- B. Utility-scale battery energy storage facilities: One or more devices, assembled together, capable of storing energy in order to supply electrical energy, including battery cells used for absorbing, storing, and discharging electrical energy in a Utility-Scale Battery Energy Storage System ("BESS") with a battery management system ("BMS").
- C. Utility-Scale Battery Energy Storage System: A physical container providing secondary containment to battery cells that is equipped with cooling, ventilation, fire suppression, and a battery management system.

Section 2. Add New Section 437, entitled “Utility-Scale Battery Energy Storage Systems”

Section 437, entitled “Utility-Scale Battery Energy Storage Systems,” is added to Article 4 of the Township’s Zoning Ordinance. The section reads in its entirety as follows:

Section 437. Utility-Scale Battery Energy Storage Systems.

- A. General Provisions.** All Utility-Scale Battery Energy Storage Systems are subject to the following requirements:

- 1. All Utility-Scale Battery Energy Storage Systems must conform to the provisions of this Ordinance and all county, state, and federal regulations and safety requirements, including applicable building codes, applicable industry standards, and NFPA 855 “Standard for the Installation of Stationary Energy Storage Systems”

- 2. The Township Planning Commission may revoke any approvals for, and require the removal of, any Utility-Scale Battery Energy Storage System that does not comply with this Ordinance, in accordance with this Zoning Ordinance.

3. Utility-Scale Battery Energy Storage Systems are permitted in the Township as a special use in the following zoning districts:

a. AG – Agricultural Enterprise District

B. Application Requirements. The applicant for a Utility-Scale Battery Energy Storage System must provide the Township with all of the following:

1. Application fee in an amount set by resolution of the Township Board.
2. A list of all parcel numbers that will be used by the Utility-Scale Battery Energy Storage System; documentation establishing ownership of each parcel; and any lease agreements, easements, or purchase agreements for the subject parcels.
3. An operations agreement setting forth the operations parameters, the name and contact information of the operator, the applicant’s inspection protocol, emergency procedures, and general safety documentation.
4. Current photographs of the subject property.
5. A site plan that includes all proposed structures and the location of all equipment, as well as all setbacks, the location of property lines, signage, fences, greenbelts and screening, drain tiles, easements, floodplains, bodies of water, proposed access routes, and road right of ways. The site plan must be drawn to scale and must indicate how the Utility-Scale Battery Energy Storage System will be connected to the power grid.
6. A copy of the applicant’s power purchase agreement or other written agreement with an electric utility showing approval of an interconnection with the proposed Utility-Scale Battery Energy Storage System.
7. A written plan for maintaining the subject property, including a plan for maintaining and inspecting drain tiles and addressing stormwater management, which is subject to the Township’s review and approval.
8. A decommissioning and land reclamation plan describing the actions to be taken following the abandonment or discontinuation of the Utility-Scale Battery Energy Storage System, including evidence of proposed commitments with property owners to ensure proper final reclamation, repairs to roads, and other steps necessary to fully remove the Utility-Scale Battery Energy Storage System and restore the subject parcels, which is subject to the Township’s review and approval.
9. Financial security that meets the requirements of this Section, which is subject to the Township’s review and approval.
10. A plan for resolving complaints from the public or other property owners concerning the construction and operation of the Utility-Scale Battery Energy Storage System, which is subject to the Township’s review and approval.

11. A plan for managing any hazardous waste, which is subject to the Township's review and approval.

12. A transportation plan for construction and operation phases, including any applicable agreements with the County Road Commission and Michigan Department of Transportation, which is subject to the Township's review and approval.

13. An attestation that the applicant will indemnify and hold the Township harmless from any costs or liability arising from the approval, installation, construction, maintenance, use, repair, or removal of the Utility-Scale Battery Energy Storage System, which is subject to the Township's review and approval.

14. Proof of environmental compliance, including compliance with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act; (MCL 324.3101 et. seq.; Part 91, Soil Erosion and Sedimentation Control (MCL 324.9101 et. seq.) and any corresponding County ordinances; Part 301, Inland Lakes and Streams, (MCL 324.30101 et. seq.); Part 303, Wetlands (MCL 324.30301 et. seq.); Part 365, Endangered Species Protection (MCL324.36501 et. seq.); and any other applicable laws and rules in force at the time the application is considered by the Township

15. Any additional information or documentation requested by the Planning Commission, Township Board, or other Township representative.

C. System and Location Requirements.

1. *Minimum Acreage.* Utility-Scale Battery Energy Storage Systems must be located on parcels of land [redacted] acres in size or larger.

2. *Lot Area Coverage.* No more than [redacted] % of the total lot area may be covered by a Utility-Scale Battery Energy Storage System.

3. *Setbacks.* Utility-Scale Battery Energy Storage Systems must be set back at least [redacted] feet from all [lot lines / occupied community buildings and dwellings on nonparticipating properties / public road rights-of-way]. If a single Utility-Scale Battery Energy Storage System is located on more than one lot, then the lot-line setbacks of this subsection do not apply to the lot lines shared by those lots.

4. *Screening.* Greenbelt screening is required around any Utility-Scale Battery Energy Storage System and around any equipment associated with the system to obscure, to the greatest extent possible, the Utility-Scale Battery Energy Storage System from any adjacent residences. The greenbelt must consist of shrubbery, trees, or other non-invasive plant species that provide a visual screen. In lieu of a planting greenbelt, a decorative fence that is at least 50% opaque and that meets the requirements of this Ordinance applicable to fences may be used if approved by the Planning Commission.

5. *Lighting.* Lighting of the Utility-Scale Battery Energy Storage System is limited to the minimum light necessary for safe operation. Illumination from any lighting must not extend beyond the perimeter of the lot(s) used for the Utility-Scale Battery Energy Storage System. The

Utility-Scale Battery Energy Storage System must not produce any glare that is visible to neighboring lots or to persons traveling on public or private roads.

6. *Security Fencing.* Security fencing must be installed around all electrical equipment related to the Utility-Scale Battery Energy Storage System. Appropriate warning signs must be posted at safe intervals at the entrance and around the perimeter of the Utility-Scale Battery Energy Storage System.

7. *Noise.* The noise generated by a Commercial Utility-Scale Battery Energy Storage System must not exceed [redacted] dBA Lmax / A-weighted scale, as measured at the property line of any adjacent parcel / nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property.

8. *Underground Transmission.* All power transmission or other lines, wires, or conduits from a Utility-Scale Battery Energy Storage System to any building or other structure must be located underground at a depth that complies with current National Electrical Code standards, except for power switchyards or the area within a substation.

9. *Drain Tile Inspections.* The Utility-Scale Battery Energy Storage System must be maintained in working condition at all times while in operation. The applicant or operator must inspect all drain tile at least once every three years by means of robotic camera, with the first inspection occurring before the Utility-Scale Battery Energy Storage System is in operation. The applicant or operator must submit proof of the inspection to the Township. The owner or operator must repair any damage or failure of the drain tile within sixty (60) days after discovery and submit proof of the repair to the Township. The Township is entitled, but not required, to have a representative present at each inspection or to conduct an independent inspection.

10. *Insurance.* The applicant or operator will maintain property/casualty insurance and general commercial liability insurance in an amount of at least \$5 million per occurrence.

11. *Permits.* All required county, state, and federal permits must be obtained before the Utility-Scale Battery Energy Storage System begins operating.

12. *Decommissioning.* If a Utility-Scale Battery Energy Storage System is abandoned or otherwise nonoperational for a period of one year, the property owner or the operator must notify the Township and must remove the system within six (6) months after the date of abandonment. Removal requires receipt of a demolition permit from the Building Official and full restoration of the site to the satisfaction of the Zoning Administrator. The site must be filled and covered with top soil and restored to a state compatible with the surrounding vegetation. The requirements of this subsection also apply to a Utility-Scale Battery Energy Storage System that is never fully completed or operational if construction has been halted for a period of one (1) year.

13. *Financial Security.* To ensure proper decommissioning of a Commercial Utility-Scale Battery Energy Storage System upon abandonment, the applicant must post financial security in the form of a security bond, escrow payment, or irrevocable letter of credit in an amount equal to 125% of the total estimated cost of decommissioning, code enforcement, and reclamation, which cost estimate must be approved by the Township. The operator and the Township will review the amount of the financial security every two (2) years to ensure that the amount remains

adequate. This financial security must be posted within fifteen (15) business days after approval of the special use application.

14. *Extraordinary Events.* If the Utility-Scale Battery Energy Storage System experiences a failure, fire, leakage of hazardous materials, personal injury, or other extraordinary or catastrophic event, the applicant or operator must notify the Township within 24 hours.

15. *Annual Report.* The applicant or operator must submit a report on or before January 1 of each year that includes all of the following:

- a. Current proof of insurance;
- b. Verification of financial security; and
- c. A summary of all complaints, complaint resolutions, and extraordinary events.

16. *Inspections.* The Township may inspect a Utility-Scale Battery Energy Storage System at any time by providing 24 hours advance notice to the applicant or operator.

17. *Transferability.* A special use permit for a Utility-Scale Battery Energy Storage System is transferable to a new owner. The new owner must register its name and business address with the Township and must comply with this Ordinance and all approvals and conditions issued by the Township.

18. *Remedies.* If an applicant or operator fails to comply with this Ordinance, the Township, in addition to any other remedy under this Ordinance, may revoke the special use permit and site plan approval after giving the applicant or operator notice and an opportunity to be heard. Additionally, the Township may pursue any legal or equitable action to abate a violation and recover any and all costs, including the Township's actual attorney fees and costs.

D. Utility-Scale Battery Energy Storage Systems under PA 233.

On or after November 29, 2024, if PA 233 of 2023 is in effect, then the following provisions apply to Utility-Scale Battery Energy Storage Systems with a nameplate capacity of 50 megawatts or more and an energy discharge capability of 200 megawatt hours or more. To the extent these provisions conflict with the provisions in Section 437 above, these provisions control as to such Utility-Scale Battery Energy Storage Systems. This subsection does not apply if PA 233 of 2023 does not take effect and does not apply to Utility-Scale Battery Energy Storage Systems with a nameplate capacity of less than 50 megawatts and an energy discharge capability of less than 200 megawatt hours.

1. *Setbacks.* Utility-Scale Battery Energy Storage Systems must comply with the following minimum setback requirements, with setback distances measured from the nearest edge of the perimeter fencing of the facility:

Setback Description	Setback Distance
Occupied community buildings and dwellings on nonparticipating properties	300 feet from the nearest point on the outer wall
Public road right-of-way	50 feet measured from the nearest edge of a public road right-of-way
Nonparticipating parties	50 feet measured from the nearest shared property line

2. *NFPA Standard.* Utility-Scale Battery Energy Storage Systems must comply with the version of NFPA 855 “Standard for the Installation of Stationary Energy Storage Systems” in effect on the effective date of the amendatory act that added this section or any applicable successor standard adopted by the commission as reasonable and consistent with the purposes of this subdivision.

3. *Noise.* The Utility-Scale Battery Energy Storage System must not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.

4. *Lighting.* The Utility-Scale Battery Energy Storage System must implement dark sky-friendly lighting solutions.

5. *Environmental Regulations.* The Utility-Scale Battery Energy Storage System must comply with applicable state or federal environmental regulations.

6. *Host community agreement.* The applicant shall enter into a host community agreement with the Township. The host community agreement shall require that, upon commencement of any operation, the Utility-Scale Battery Energy Storage System owner must pay the Township \$2,000.00 per megawatt of nameplate capacity. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the local unit and the applicant.

Section 3. Amend Section 306.

Section 306(c) of the Zoning Ordinance, entitled “Special Land Uses” for the AG Agricultural Enterprise District, is amended to add “Utility-Scale Battery Energy Storage System subject to Section 437” as a special land use in the AG district.

Section 4. Validity and Severability.

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 5. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 6. Effective Date.

This Ordinance takes effect seven (7) days after publication as provided by law.

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GUIDELINES and APPLICATION

Recognizing strong, vibrant **communities** governed by **township boards** that adhere to **best practices** to deliver quality programs and services, and accomplish **community-driven goals.**





The Michigan Townships Association (MTA) announces a prestigious designation program exclusively for townships—“**Township of Excellence.**”

The benchmark criteria that identify a **Township of Excellence** reflect a variety of perspectives on what constitutes excellence in township government, including recommendations of township officials, state administrators and other practitioners, as well as the MTA Board of Directors and staff. Merely complying with state statutes does not qualify a township for this designation.

The goals of the Township of Excellence program are to:

- 1** Encourage townships to achieve objective benchmarks of excellence.
- 2** Recognize and reward truly exemplary township governments, specifically where excellence is practiced in a broad array of township functions and operations.
- 3** Enable township residents to appreciate that they live in a township recognized for a high level of excellence as identified by objective benchmarks.
- 4** Continue MTA’s tradition of encouraging townships to strive for higher levels of quality constituent services.
- 5** Create an identity and sense of community pride for residents.

To qualify as a **Township of Excellence**, an applicant township must demonstrate superior processes and outcomes in governance, along with adherence to best practices involving its statutory duties of financial stewardship, assessing, tax collection and election administration. If the township provides the following services—emergency services, land use management and economic development, transportation, utilities, and cemeteries—applicants must also demonstrate excellence in those areas.

ELIGIBILITY

A township board member, superintendent or manager may apply on behalf of an MTA member township. Township officials may apply for the designation after the current township board has served together for a minimum of six months. The application must be accompanied by a resolution adopted by a majority of the township board attesting that, to the best of its knowledge, all statements made in connection with the application are truthful and the township is in compliance with all applicable laws and regulations. (See attached sample resolution.)

A township may apply for the full designation or for a certificate of achievement for one or more individual sections. If a township submits an application for a full designation, but does not meet the criteria for all of them, the township has the option to receive the certificate of achievement for the section(s) it has completed. A township may work toward a full designation within a township term by applying for one or more sections at a time.

Townships must reapply for each term in which they wish to receive an award. If documentation from a previous application is still current, that documentation does not need to be resubmitted.



DOCUMENTATION REQUIREMENTS

Applicant townships must submit copies of board policies, plans and other documents demonstrating that the board has achieved specific benchmarks. (See attached checklist.) MTA will be the sole judge of whether submitted materials adequately document compliance with all benchmarks. In cases where there may be some question as to whether the township has adequately complied with a particular benchmark, MTA may submit the applicant's documents to an outside panel for an independent recommendation. *De minimus*, or token, efforts at policies or plans will not be regarded as sufficient compliance with benchmark standards.

MTA reserves the right to ask for further documentation at any time prior to or after making a determination as to whether the applicant township qualifies as a **Township of Excellence**. In addition, MTA may check the Association's database to verify attendance at MTA programs. All entries become the property of MTA and will not be returned.

SELECTION PROCESS

A committee of MTA executive staff will evaluate whether the application meets all criteria for the designation. If staff determine that the application does not meet the requirements, a memo will be submitted to the township outlining the staff findings. The applicant may appeal. Either committee may seek the advice and assistance of outside parties in determining whether a submitted policy, plan or other documentation demonstrates compliance, or is an unacceptable, *de minimus* effort.

NOTIFICATION AND PUBLIC ANNOUNCEMENT

MTA will review the application and notify the township of its determination within 60 days from the time the complete application is received at the MTA office. For each township designated a **Township of Excellence**, MTA will release a statement to the township's local media, and an article highlighting the township's achievement will be published in the *Township Focus* magazine. The township will also be recognized at the next upcoming MTA Annual Educational Conference & Expo.

LENGTH OF DESIGNATION

Designation as a **Township of Excellence** continues until the end of the four-year township board term. A township may reapply for the designation in each new term, with no limit to the number of terms that a township may be recognized as a **Township of Excellence**.

DISCLOSABLE UPON REQUEST

In the interest of transparency and to ensure accuracy, applications and any supporting documents will be disclosed to any interested party upon request.



PART 1: MTA TOWNSHIP OF EXCELLENCE APPLICATION

ALL applicants for the full designation must complete the following sections: **Governance, Financial Stewardship, Assessment Administration, Tax Collection and Election Administration.** If the township provides the following services—**Emergency Services, Land Use Management and Economic Development, Transportation, Utilities and Cemeteries**—complete those sections as well.

Check each box as indicated to confirm compliance. When documentation is required, follow instructions for attaching and labeling the required documents. Where documentation is NOT required, the specified official must sign where indicated.

GOVERNANCE

ACCESSIBILITY AND COMMUNICATION

- The township publishes a newsletter (*print or electronic*) at least twice a year.

✓ **Attach the most recent township newsletter; label Exhibit G-1.**

- The township maintains a website that is updated at least quarterly.

✓ **Provide the website address:**

www. _____

- The township posts office hours for officials working at a township facility or home office either at the township hall or on the township Website, **OR** publishes them in the township newsletter or a newspaper of general circulation.

✓ **Attach the most recent posted or published officials' hours; label Exhibit G-2.**

PROFESSIONAL DEVELOPMENT

- A majority of the township board have each participated in **ONE** TGA Foundations class and in **ONE** or more of the following MTA educational programs every year since the current township term began (*check all that apply*):

- Annual Educational Conference & Expo
- MTA On the Road Regional Meeting
- Professional Development Retreat
- Township Governance Academy (TGA) class (at any level)
- Other MTA workshop, webcast or training program [*excluding legislative and National Association of Towns and Townships (NATaT) events, which are addressed under ADVOCACY*]

✓ **Records will be verified by the MTA Knowledge Center.**

STRATEGIC PLAN

- The township board has adopted a multi-year strategic plan that identifies township strengths, weaknesses, opportunities and threats, and identifies multi-year goals, objectives and strategies to achieve a long-range vision. (*NOTE: Information on strategic planning is available at www.michigantownships.org.*)
- The township board reviews and updates the strategic plan at least annually.

✓ **Attach the township strategic plan; label Exhibit G-3.**

ESSENTIAL BOARD POLICIES

- The township board has adopted written policies regarding **ALL** of the following:

- Ethics
- General administration
- Public meeting rules, including public comment and board decorum
- Public records inspection
- Freedom of Information Act requests
- Official, employee and volunteer conduct

✓ **Attach each policy; label Exhibit G-4a through f (in order as listed above).**

POLICYMAKING

- At least three days prior to each board meeting, all township board members receive a meeting packet, including a proposed agenda and background information on agenda items.

✓ **Attach policy regarding meeting packets; label Exhibit G-5.**

- The township board has adopted written policies that delineate department head authority and clarify which matters require township board approval.

✓ **Attach each policy; label Exhibit G-6.**

- The township board routinely monitors and evaluates township functions and addresses deficiencies in those functions through policies and the appropriations process.

✓ **Attach policy regarding this practice; label Exhibit G-7.**

ADVOCACY

- Check **AT LEAST ONE** of the following:
 - One or more of the township board members communicates with the township's state representative or state senator at least twice a year on issues affecting the township, **AND** one or more of the township board members communicates with the township's U.S. representative or U.S. senator at least once a year on issues affecting the township.
 - One or more of the township board members attended an MTA Legislative Advocacy Day in the last two years.

✓ **Attach a list of advocacy activities; label Exhibit G-8.**

STAKEHOLDER INVOLVEMENT

- The township board creates advisory citizen task forces to provide research on issues, define alternatives and make recommendations to the board. *(Exclude statutorily required commissions and boards such as a planning commission, board of review, zoning board of appeals, etc.)*

✓ **Attach a list of advisory citizen task forces; label Exhibit G-9.**

COMMUNITY INVOLVEMENT

- A majority of the township board members are personally involved in community organizations.

✓ **Attach a list of township board members and the community organizations in which they personally participate; label Exhibit G-10.**

INTERGOVERNMENTAL COLLABORATION

- Check **AT LEAST ONE** of the following:
 - The township board participates in at least one organization focusing on intergovernmental or regional collaboration.
 - The township board participates in at least one intergovernmental agreement or contract.

✓ **Attach a list of township board members and the organization(s) in which they participate OR a copy of an intergovernmental agreement or contract; label Exhibit G-11.**

BOARD ACCOMPLISHMENTS

- The township board strategically sets and implements goals to improve or protect the community's quality of life.

✓ **Attach a description of goals that have been accomplished in the last two years; label Exhibit G-12.** *(Examples include a new project, program or service, or improvements to an existing township program or service, to enhance the community's strength, correct a community weakness, or effectively address one or more community opportunities or threats.)*

x

Signature of township supervisor attesting to compliance with all criteria in the GOVERNANCE section.

FINANCIAL STEWARDSHIP

ACCESSIBILITY

- The township's financial reporting process is accessible to the public.

✓ **Attach documentation identifying how financial reports, records, audits, etc., are made available to the public; label Exhibit FS-1.**

ACCREDITATION AND TRAINING

- The township provides education and training for township officials and other personnel involved in financial administration.

✓ **Attach policies, or describe current practices; label Exhibit FS-2.**

- In the last four years, a majority of the township personnel involved in financial administration have attended **AT LEAST TWO** training seminars or webcasts offered by MTA or other organizations on accounting procedures, investments, budgeting or fraud prevention.

ESSENTIAL POLICIES

- The township board has adopted and regularly updates a depository and investment policy resolution that addresses **ALL** of the following:

- Allowed financial institutions
- Allowed investment instruments
- How the township minimizes various forms of risk
- Return on investments
- Targeted liquidity *(availability of cash)*

✓ **Attach depository and investment policy resolution; label Exhibit FS-3.**

- The township board and staff have adopted administrative policies regarding financial internal controls and segregation of duties.

✓ **Attach policies; label Exhibit FS-4.**

- The township board has adopted policies regarding administrative review, and approval of all current financial claims against the township.

✓ **Attach policies; label Exhibit FS-5.**

FINANCIAL PROCESS AND PROCEDURES

- The township's financial reporting system provides useful information to board members to fulfill their fiduciary duties.

✓ **Attach at least two recent examples of periodic financial reports provided to the board; label Exhibit FS-6.**

- The township budget process is aligned with the township's multi-year strategic planning process.

✓ **Attach the most recent budget, including the narrative or public summary of budget plan, documenting alignment with the strategic planning process; label Exhibit FS-7.**

- The township utilizes benchmarks, cost/benefit analysis or other data in considering appropriations, including a periodic evaluation of the township's compensation and benefits system, to assure financial stewardship, efficiency and effectiveness of appropriations.

✓ **Attach documentation; label Exhibit FS-8.**

- The township board sets and implements policy regarding target general fund unrestricted net fund assets, and reserves are consistent with the township's strategic plan.

✓ **Attach policy regarding target general fund unrestricted net fund assets, and documentation that reserves are consistent with the strategic plan; label Exhibit FS-9.**

- The township board uses a capital improvement plan for public improvements and capital asset purchases, depreciation and replacement.

✓ **Attach the plan (or other document) that describes planning process; label Exhibit FS-10.**

- The township reduces costs by contracting, cooperating and/or collaborating with another entity or organization to provide a township program or service.

✓ **Attach documentation; label Exhibit FS-11.**

- The township reduces costs by using technology.

✓ **Attach documentation identifying at least one township program or service where the township has or will reduce costs by using technology; label Exhibit FS-12.**

- The township board reviews the township's audit and has taken steps to address concerns and recommendations included in the management letter.

✓ **Attach documentation identifying steps taken to address any concerns or recommendations in the management letter; label Exhibit FS-13.**

- The township board reviews the Auditing Procedures Report form filed with the township's audit and has taken steps to address conditions identified in the report.

✓ **Attach the township's most recent Michigan Department of Treasury Form 496 Auditing Procedures Report (L-3147); label Exhibit FS-14. If any "No" boxes are checked, identify steps taken to address the condition(s).**

x _____ <i>Signature of township clerk attesting to compliance with all criteria in the FINANCIAL STEWARDSHIP section.</i>
x _____ <i>Signature of township treasurer attesting to compliance with all criteria in the FINANCIAL STEWARDSHIP section.</i>

ASSESSMENT ADMINISTRATION

ACCESSIBILITY

- The township provides the public with access to assessing information from a public computer or kiosk within the township hall **OR** via the Internet (*either through the township's website or other Internet service*).

✓ **Provide the website address:**

www. _____

ACCREDITATION AND TRAINING

- All board of review members attend MTA Board of Review Training, or an equivalent program conducted by the county equalization director, every two years.
- The township supervisor has attended **AT LEAST TWO** of the following every year (*check all that apply*):
 - MTA Board of Review Training
 - MTA Annual Educational Conference & Expo
 - MTA Supervisors Professional Development Retreat
 - MTA Workshops or webcasts (*related to assessment*)
 - Michigan Assessors Association (MAA) Conference
 - MAA seminar

CONSTITUENT SERVICES

- The township provides information to the public on poverty exemptions, including the township's poverty income guidelines and asset test.
- The township provides information to the public on the tax exemption for veterans' specially adapted housing.

ASSESSMENT PROCESS AND PROCEDURES

- Assessing personnel conduct site visits and update assessment information for all properties at least once every five years.
- The assessor has a quality assurance program in place to identify all new buildings and additions.
- Regardless of whether a Michigan Department of Treasury Audit of Minimum Assessing Requirements (AMAR) or 14-Point Review has been conducted, the assessor is in compliance and has notified the township board of compliance with the AMAR requirements as of the date the **Township of Excellence** application is submitted.
- The township board periodically reviews assessing operations, and the assessor annually reports to the township board on assessing issues.

x _____
Signature of township supervisor attesting to compliance with all criteria in the ASSESSMENT ADMINISTRATION section.

TAX COLLECTION

ACCESSIBILITY

- The contact information and hours the treasurer or deputy treasurer are available for tax collection purposes are either posted at the township hall or on the township website, **OR** published in the township newsletter or newspaper of general circulation.
- The township uses a system to accept tax payments after hours, such as a drop-off box, **OR** has arranged for payments to be made at a local bank or other financial institution.
- The township provides the public with access to property tax information from a public computer or kiosk within the township hall **OR** via the Internet (*either through the township's Website or other Internet service*).

✓ Provide the website address:

www. _____

ACCREDITATION AND TRAINING

- The township treasurer has attended **AT LEAST TWO** of the following every year (*check all that apply*):
 - MTA Annual Educational Conference & Expo
 - MTA Treasurers Professional Development Retreat
 - MTA Workshops or webcasts (*related to treasurers' duties*)
 - Michigan Municipal Treasurers Association (MMTA) Conference
 - MMTA seminar

CONSTITUENT SERVICES

- The township provides contact information on agencies that provide human services assistance to residents.
- ✓ Attach the human services agency contact information; label Exhibit TC-1.
- The township offers information on the availability of summer tax deferments.
 - The township offers information on the Homestead Property Tax Credit income tax.

TAX PROCESS AND PROCEDURES

- The township collects the State Education Tax (SET) and the county operating millage and, if applicable, also collects school summer property taxes.
- ✓ If the township collects school summer property taxes, attach one agreement to collect; label Exhibit TC-2.

x _____
Signature of township treasurer attesting to compliance with all criteria in the TAX COLLECTION section.

ELECTION ADMINISTRATION

ACCESSIBILITY

- **ALL** of the following informational items, or links to the information on other websites, are posted on the township's website:
 - Voter guide
 - Election results
 - Precinct map
 - Instructions for registering to vote
 - Downloadable absentee voter application
 - Office hours and contact information

✓ Provide the website address:

www. _____

ACCREDITATION AND TRAINING

- The township clerk has completed the State of Michigan Election Officials Accreditation Program and is current with the specific continuing education requirements.
- The township clerk has attended **AT LEAST TWO** of the following every year (*check all that apply*):
 - MTA Annual Educational Conference & Expo
 - MTA Clerks Professional Development Retreat
 - MTA Workshops or webcasts (*related to clerks' duties*)
 - Michigan Association of Municipal Clerks (*MAMC*) Conference
 - MAMC election seminar

CONSTITUENT SERVICES

- The clerk maintains a permanent absentee voter mailing list of senior citizens and other qualified voters who ask to be added to the list.
- The clerk engages in election outreach by conducting mock elections, making election equipment available for voter practice prior to elections, presenting programs in local schools, using qualified high school students as election inspectors, and/or other methods.

ELECTION PROCESS AND PROCEDURE

- The clerk regularly updates the Qualified Voter File (QVF). Inactive voter names are purged consistent with voter laws.
- The township provides computer equipment and Internet services at the township hall or clerk's office to facilitate using the QVF, Elections e-Learning Center and other online election administration resources.

✓ **Attach documentation identifying whether the township uses QVF at the township hall or clerk's home office or at the County Clerk's office; label Exhibit EA-1.**

- The township clerk administers all elections within the township, including school elections.
- The township has developed an election emergency operations plan for election facilities, equipment, personnel and other resources necessary for the township's polling places.

✓ **Attach plan; label Exhibit EA-2.**

x _____
Signature of township clerk attesting to compliance with all criteria in the ELECTION ADMINISTRATION section.

EMERGENCY SERVICES

FIRE PROTECTION SERVICES

- The township provides fire protection services through its own fire department **OR** a department operated jointly by written agreement with another unit **OR** under contract with a separate unit's fire department **OR** as a member of a fire authority (*NOT solely by a mutual aid agreement*).

✓ **If the township provides fire protection through an agreement, contract or as a member of a fire authority, attach documentation; label Exhibit ES-1.**

- The fire department achieves response times consistent with National Fire Protection Association (*NFPA*) Standard 1710 or 1720, as applicable.
- The fire department is either in compliance with all NFPA standards, or the township board has been informed in writing of all standards with which the fire department is not in compliance.
- As directed by the township board, the fire department provides or contracts for specialized services, such as confined space rescue, hazardous material incident response, water rescue, extrication, etc., that are appropriate to the township's specific circumstances.
- The fire department operates according to written policies or standard operating guidelines.

✓ **Attach the department's policies or standard operating guidelines; label Exhibit ES-2. If it is the township's own fire department, attach any additional board-adopted policies regarding the fire department; label Exhibit ES-2.**

- Check the box that describes your township:
 - If the township is protected by a municipal **water system** and served by a **career** department, at least one area of the township has received an ISO rating of 4 or better.
 - If the township is protected by a municipal **water system** and served by an **on-call** department, at least one area of the township has received an ISO rating of 5 or better.
 - If the township is **NOT** protected by a municipal water system, at least one area of the township has received an ISO rating of 7 or better.

✓ **Attach the township ISO rating notification; label Exhibit ES-3.**

- The township has one or more written mutual aid agreements to supplement current fire services.

✓ **Attach one mutual aid agreement; label Exhibit ES-4.**

- All **on-call** fire fighters have successfully completed the Fire Fighter I test within two years of joining the department, **OR** all **career** fire fighters have successfully completed the Fire Fighter II test.

- The fire chief has completed a command officer program recognized by the Michigan Fire Fighters Training Council.
- The fire department annually conducts community education programs on fire safety, performs fire safety inspections on commercial and industrial exposures present in the township, and reviews site plans of proposed commercial and industrial development.

x _____
Signature of the fire chief of department having jurisdiction attesting to compliance with all criteria in the FIRE PROTECTION SERVICES section.

LAW ENFORCEMENT

- Check the box that describes your township:
 - If the township does **NOT** provide law enforcement through its own police department or under contract with another governmental entity, the township board is in regular communication with entities that have responsibility for law enforcement within the township, such as the Michigan State Police (*MSP*), sheriff's department, tribal police, etc. The board is aware of typical law enforcement emergency response times, and the township's crime and accident statistics.
 - The township **DOES** provide law enforcement through its own police department **OR** under contract with another public entity **OR** as a member of an emergency services authority (*not SOLELY by county sheriff or MSP general road patrol*).

✓ **If the township provides law enforcement through an agreement, contract or as a member of an authority, attach documentation; label Exhibit ES-5.**

- The police department operates according to written policies and/or standard operating guidelines.
- ✓ **Attach the department's policies and/or guidelines; label Exhibit ES-6. If it is the township's own police department, attach any additional board-adopted policies regarding the police; label Exhibit ES-6.**
- Police department personnel are trained consistent with the requirements of a departmental plan.
- Police department personnel are deployed consistent with an analysis of community needs, including crime and emergency incident statistics.
- The police department has developed a long-term plan identifying projected resource requirements, equipment acquisition, maintenance and replacement.
- The police department conducts ongoing crime prevention activities.

- As directed by the township board, the police department provides or contracts for specialized services, such as drug enforcement, marine safety, detective bureau, special weapons and tactics, etc., that are appropriate to the township's specific circumstances.

x _____
Signature of police chief of department having jurisdiction attesting to compliance with all criteria in the LAW ENFORCEMENT section.

x _____
Signature of township supervisor attesting that the township board is knowledgeable of available LAW ENFORCEMENT resources and needs.

EMERGENCY MANAGEMENT

- The township has an emergency operations plan assigning roles and responsibilities in the event of a major disaster or emergency.
- AT LEAST TWO** township board members have completed National Incident Management System (*NIMS*) 100 and 700 training.

EMERGENCY MEDICAL SERVICES

- Check the box that describes your township:
 - The township does **NOT** provide emergency medical services.
 - The township **DOES** provide emergency medical services through a licensed first responder **OR** ambulance service offered through the township's fire department **OR** through a separate department **OR** by contract or franchise with a licensed public or private entity.

x _____
Signature of township supervisor attesting to compliance with all criteria in the EMERGENCY MANAGEMENT and EMERGENCY MEDICAL SERVICES sections.

LAND USE MANAGEMENT AND ECONOMIC DEVELOPMENT

PLANNING

- The township has a planning commission, has adopted a master plan, and the current plan has received a full review or has been revised within the past five years.
- The planning commission has at least 90 percent member attendance during the previous three years. (*Multiply the number of planning commission meetings in the past three years by the total number of members serving, and multiply that product by 0.9 to get the target number.*)

- The township employs or contracts with a planning and zoning professional or firm.
- The township requires all planning commissioners to attend a training program within three months of their initial appointment.
- Within the past three years, all current planning commissioners have attended at least one land use seminar offered by MTA, the Michigan Association of Planning or Michigan State University, **OR** completed at least six hours of in-service training conducted by the planning commission's staff or consultants.
- Township staff offer consultation meetings for developers and other applicants before they submit land use applications.

ZONING

- The township has **NOT** adopted a zoning ordinance, due to the absence of significant township growth, but the township has adopted a police-power blight ordinance or other ordinances to protect the health, safety and general welfare of the township.

x
Signature of township supervisor attesting that these criteria describe the township.

➤ If the township has NOT adopted a zoning ordinance, skip to the next section.

- The township **HAS** adopted a zoning ordinance that is consistent with, and is updated regularly to remain consistent with, the master plan. If the ordinance includes site plan review and planned unit development (*PUD*) provisions, then it uses illustrations, in addition to text, to clearly explain the intent of the ordinance.
- The township consistently enforces zoning ordinance violations when voluntary compliance is not achieved.

x
*Signature of planning commission chair or chief township land use administrator attesting to compliance with all criteria in the **PLANNING and ZONING** sections.*

CONSTRUCTION CODE ENFORCEMENT

- The township does **NOT** enforce the state construction code.

x
Signature of township supervisor attesting that the township does NOT enforce the state construction code.

➤ If the township does NOT enforce the state construction code, skip to the next section.

- If the township **DOES** enforce the state construction code, the township must comply with **ALL** of the following:
 - The township has established performance standards for its building plan and permit approval process.
 - The township has established procedures for expedited building plan and permit review, if certain criteria are met.
 - The township has established policies regarding the time between when a building inspection is requested and the inspection is performed.

x
*Signature of the construction code enforcement official attesting to compliance with all criteria in the **CONSTRUCTION CODE ENFORCEMENT** section.*

ECONOMIC DEVELOPMENT

- The township has **NOT** included economic development as a goal of the township strategic plan or developed an industrial park.

x
Signature of township supervisor attesting that these criteria describe the township.

➤ If the township has NOT included economic development as a goal of the township strategic plan or developed an industrial park, skip to the next section.

- If the township **HAS** included economic development as a goal of the township strategic plan, or the township has developed an industrial park, the township complies with **ALL** of the following:
 - In its strategic plan, the township identified the barriers to economic development and has adopted strategies to overcome those barriers.
 - To assist developers, the township has created a list of vacant property that is eligible to be developed or redeveloped for commercial or industrial use.
 - The township maintains regular contact with local, county and regional economic development entities, such as a county or regional planning commission, chamber of commerce, metropolitan council, strategic alliance, etc.

x
*Signature of township supervisor attesting to compliance with all criteria in the **ECONOMIC DEVELOPMENT** section.*

TRANSPORTATION

- The township has made efforts to provide for recreational trails **OR** non-motorized and pedestrian traffic.
- The township has a private road standards ordinance.
- Complete the next two criteria **ONLY** if the township spends money on road projects:
 - The township's capital improvement or strategic plan addresses new construction and replacement of hard-surfaced local roads.
 - All road projects are performed under the terms of a written contract between the township and road commission (*or other entity*) that limits the township's financial exposure to cost overruns.

x
Signature of township supervisor attesting to compliance with all criteria in the TRANSPORTATION section.

UTILITIES

- If the township does NOT provide such services, please sign below and skip to the next section.

x
Signature of township supervisor attesting that the township does NOT provide these services.

- Complete the following section **IF** the township provides water or sewer service by its own department, through a contract with another unit of government, through a joint authority or by regulating privately owned community (*multi-user*) septic systems:
 - All areas of the township currently zoned or identified in the master plan for high-density residential, commercial or industrial land uses are served by water, sewer or both, **OR** the township has identified the provision of those services to all such areas in its master plan or capital improvement plan.
 - The township utilities have surplus capacity for the growth identified in the master plan, **OR** the township has included specific steps in its capital improvement plan or strategic plan to expand capacity to meet projected future needs.
 - If the township operates a wastewater treatment facility, that facility accepts and treats septage.
 - The township has separated, or is in the process of separating, all combined sewer overflow connections.
 - The township has policies and procedures to address complaints regarding its utility services.

- The township has established utility fee structures that adequately fund bonded indebtedness, maintenance, depreciation and facility replacement.
- The township has an emergency sewer back-up plan in place.

✓ **Attach the back-up plan; label Exhibit U-1.**

x
Signature of the sewer system administrator attesting to compliance with all criteria in the UTILITIES section.

x
Signature of the water system administrator attesting to compliance with all criteria in the UTILITIES section.

CEMETERIES

- If the township does NOT operate a cemetery, sign below and skip to the next page to complete the application.

x
Signature of township supervisor attesting that the township does NOT operate a cemetery.

- Complete the following section **IF** the township operates a cemetery:
 - The township has a cemetery ordinance.
 - The township cemetery ordinance provides that burial rights are sold by permit instead of deed.
 - The township cemetery ordinance provides for forfeiture of unused lots.
 - Original (*paper*) cemetery records are protected from fire, water damage, pests and theft. Back-up copies of cemetery records are stored at an off-site location on microfilm or other stable format as recommended by the Michigan Department of Technology, Management and Budget Records Management Services (www.michigan.gov/dtmb).
 - Upon request, the township provides public access to cemetery records for up to four hours a day during regular business hours.

x
Signature of township cemetery administrator attesting to compliance with all criteria in the CEMETERIES section.

Please turn to the back of the brochure to complete the application.

PART 1: TOWNSHIP OF EXCELLENCE APPLICATION

Please type or print clearly.

 Before mailing your completed application, use the **DOCUMENTATION CHECKLIST (insert)** to make sure you have attached and clearly labeled all necessary supporting documents.

Township _____

County _____

Submitter _____

Phone (_____) _____ - _____ Ext. _____

Township Supervisor _____

Phone (_____) _____ - _____ Ext. _____

Township Address _____

City _____, MI Zip Code _____

Email _____

Application For:


Township of Excellence
Full Designation

Certificate of Achievement

A township may apply for the full designation or for a certificate of achievement for one or more individual sections. If a township submits an application for a full designation, but does not meet the criteria for all of them, the township has the option to receive the certificate of achievement for the section(s) it has completed. A township may work toward a full designation within a township term by applying for one or more sections at a time.

Townships must reapply for each term in which they wish to receive an award. If documentation from a previous application is still current, that documentation does not need to be resubmitted.

List Sections:

 Mail the complete application (PART 1) and your township's Resolution to Submit Application (PART 2) to:

MTA Township of Excellence, P.O. Box 80078, Lansing, MI 48908-0078.



Thank you for submitting your application to become a **Township of Excellence**. MTA will notify you within 60 days of receiving the complete application if your township qualifies to receive the designation or a *Certificate of Achievement*.

The Michigan Townships Association advances local democracy by fostering township leadership and public policy essential for a strong and vibrant Michigan.



P.O. Box 80078
Lansing, MI 48908-0078
Phone (517) 321-6467
Fax (517) 321-8908
www.michigantownships.org

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MTA TOWNSHIP OF EXCELLENCE CHECKLIST

ALL applications for full designation MUST include the following materials and documents. Label each document as indicated and organize them in the order listed below. You may wish to use a binder with section dividers to organize your documents. This checklist does not need to be turned in; it is provided to assist you in preparing your application.

GOVERNANCE

- G-1** The most recent township newsletter.
- G-2** The most recent posted or published officials' hours.
- G-3** The township strategic plan.
- G-4** Township board policies regarding all of the following, **in the order listed below:**
 - G-4a** Ethics
 - G-4b** General administration
 - G-4c** Public meeting rules, including public comment and board decorum
 - G-4d** Public records inspection
 - G-4e** Freedom of Information Act requests
 - G-4f** Official, employee and volunteer conduct
- G-5** Township board policy regarding meeting packets.
- G-6** Township board policies that delineate department head authority and clarify which matters require township board approval.
- G-7** Township board policy specifying how the township board routinely monitors and evaluates township functions and addresses deficiencies in those functions through policies and the appropriations process.
- G-8** A list of township board member advocacy activities.
- G-9** A list of advisory citizen task forces established by the township board.
- G-10** A list of township board members and the community organizations in which they personally participate.
- G-11** A list of township board members and intergovernmental or regional organization(s) in which they participate **OR** a copy of one intergovernmental agreement or contract.
- G-12** A description of goals that the township board has accomplished in the last two years, demonstrating that the township has improved or protected the community's quality of life. *(Examples include a new project, program or service, or improvements to an existing township program or service, to enhance the community's strength, correct a community weakness, or effectively address one or more community opportunities or threats.)*

FINANCIAL STEWARDSHIP

- FS-1** Documentation identifying how financial reports, records, audits, etc., are made available to the public.
- FS-2** Policies, or descriptions of current practices, that identifies what financial training or professional development opportunities the township provides for township personnel.
- FS-3** The township board depository and investment policy resolution.
- FS-4** Administrative policies regarding financial internal controls and segregation of duties.
- FS-5** Township board policies regarding board and administrative review and approval of all current financial claims against the township.
- FS-6** Two recent examples of periodic financial reports provided to the board.
- FS-7** The most recent budget, including the budget narrative or public summary of budget plan.
- FS-8** Documentation that the township utilizes benchmarks, cost/benefit analysis or other data in considering appropriations, including a periodic evaluation of the township's compensation system, to assure financial stewardship, efficiency and effectiveness of appropriations.
- FS-9** Township board policy regarding target general fund unrestricted net fund assets, and documentation that reserves are consistent with the township's strategic plan.
- FS-10** The township capital improvement plan or other document that describes planning for public improvements and capital asset purchases, depreciation and replacement.
- FS-11** Documentation identifying how the township has reduced costs for one township program or service by contracting, cooperating or collaborating with another entity or organization.
- FS-12** Documentation identifying one township program or service where the township has or will reduce costs by using technology.



- FS-13** The township's most recent audit report and management letter. Identify steps taken to address any concerns or recommendations in the management letter.
- FS-14** The township's most recent Michigan Department of Treasury Form 496 Auditing Procedures Report (L-3147). If any "No" box is checked, identify steps taken to address the condition(s).

TAX COLLECTION

- TC-1** The contact information the township provides on agencies that offer human services assistance to residents.
- TC-2** If the township collects school summer property taxes, attach a copy of one agreement.

ELECTION ADMINISTRATION

- EA-1** Documentation identifying whether the township accesses QVF directly or through the County Clerk.
- EA-2** A copy of the township election emergency operations plan.

EMERGENCY SERVICES

- ES-1** If the township provides fire protection through an agreement, contract or as a member of a fire authority, attach a copy of the documentation.
- ES-2** A copy of the fire department's policies or standard operating guidelines. If it is the township's own fire department, also attach a copy of any additional board-adopted policies regarding the fire department.
- ES-3** A copy of the township ISO rating notification.
- ES-4** A copy of one mutual aid agreement to supplement current fire protection services.
- ES-5** If the township provides law enforcement through an agreement, contract or as a member of an authority, attach a copy of the documentation.
- ES-6** A copy of the police department's policies or standard operating guidelines. If it is the township's own police department, also attach a copy of any additional board-adopted policies regarding the police department.

UTILITIES

- U-1** A copy of the township emergency sewer back-up plan.

No documentation required for
the following sections:

ASSESSMENT ADMINISTRATION

LAND USE MANAGEMENT AND ECONOMIC DEVELOPMENT

TRANSPORTATION

CEMETERIES



Resolution to Submit Application
for Michigan Townships Association
Township of Excellence Designation/*Certificate of Achievement*

WHEREAS, the _____ Township board strives to adhere to best practices to deliver quality programs and services, and to accomplish community-driven goals; and

WHEREAS, the Michigan Townships Association *Township of Excellence* designation program recognizes townships where excellence is practiced in a broad array of township functions and operations; and

WHEREAS, as part of the application process, _____ Township submits the accompanying township documents and policies for the designation committee to review; and

WHEREAS, the township board attests that, to the best of its knowledge, all statements made in connection with the application are truthful; and

WHEREAS, the township board attests that, to the best of its knowledge, the township is in compliance with all applicable laws and regulations;

NOW, THEREFORE, BE IT RESOLVED that the _____ Township board submits this application for the Michigan Townships Association *Township of Excellence* (insert "Designation" or "Certificate of Achievement") _____.

Motion made by: _____.

Seconded by: _____.

[The resolution must be adopted by a majority of the township board (three members of a 5-member board or four members of a 7-member board).]

Upon roll call vote, the following members voted:

Yes: _____

No: _____

The Supervisor declared the resolution adopted.

Signature of Clerk

Date



Township of Eagle
Board Policy

Adopted December 21, 2005
Revised June 10, 2014
Reviewed/Updated March 16, 2017.

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1.0 AUTHORITY

1.1 Rules

These rules are adopted by the Board of Directors of the Township of Eagle at a regular meeting held on June 10, 2014, by majority vote of said board.

1.2 Rules Further Defined

These rules may be amended at any regular meeting by a majority vote of the Township Board (three or more affirmative votes) provided four (4) calendar days written notice has been given prior to the meeting.

Any reference in these policies to authorization, obligation, or duty of a specific official also includes that specific official's designee.

2.0 MEETINGS

2.1 Regular Schedule

The Township Board shall meet in regular session on dates for the following year as designated by the Township Board.

2.2 Special Meetings

The Township Board shall meet in special session at the call of the Clerk upon the request of the Supervisor or of three members of the Township Board. Notice of special meetings shall be given to each board member at least 18 hours in advance of the special meeting. All meeting notices will be posted according to the Township's public notice policy in accordance with the Open Meetings Act.

2.3 Time of Meetings

Regularly scheduled meetings shall begin at a time designated by the Township Board, unless the Board shall, by a majority vote (three or more affirmative votes), set a different starting time. The Board shall not begin considering any matter on the agenda, not presently under consideration, by the hour of 10:30 p.m., except by unanimous consent of the Board members present. Matters on the agenda and not acted upon at the time of adjournment will be placed on the agenda of the next regular or special meeting.

2.4 Change of Schedule

Changes in the regularly scheduled meetings shall not be made except upon approval of a majority vote of the Township Board (three or more affirmative votes). In the event the Board shall meet and a quorum is not present, the meeting will not be held.

3.0 PUBLIC NOTICE OF MEETINGS

3.1 Township Clerk's (or his/her designee) Responsibility

The Clerk shall be responsible for providing the proper notification for all meetings of the Township Board pursuant to the Open Meetings Act.

3.2 Regular Meetings

The Clerk shall post a notice, or cause to be posted, on or before the first Monday in January in each calendar year, indicating the dates, times and places of regularly scheduled meetings for the Township Board.

3.3 Public Notice of Meetings

At a minimum, all meeting notices shall be posted at the Eagle Township Hall. Other locations throughout the community may also be selected for postings at the Clerk's option or as a result of the Board's formal action.

3.4 Schedule Change

Whenever the Board shall change its regular schedule of meetings, the Clerk shall post, or cause to be posted, a notice of the change within 3 days following the meeting in which the change was made.

3.5 Emergency Meetings

If the Board shall reschedule a meeting or call a special meeting under rule 2.2, the Clerk shall post, or cause to be posted, a notice of such change immediately and no meeting except emergency meetings shall be held until the notice shall have been posted at least 18 hours. An emergency meeting shall be held only upon consent of two thirds (four or more majority votes) of the Board and only if a delay places the health, safety, or welfare of the public in severe and/or imminent danger.

3.6 Notification to Media and Others

The Clerk shall notify, without charge, any newspaper, or radio or television station of such meeting schedule, schedule changes, or special meetings, whenever such newspaper, radio or television station shall have filed with the Clerk, a written request for such notice. The Clerk shall also notify other individuals or organizations of regular meeting schedules, changes in the schedule, or special meetings, but only upon written request and agreement to pay the Township for printing and postage expenses. The Clerk shall mail all such notices pursuant to this rule by first class mail. The Clerk shall make available an electronic copy of the schedule available to individuals or organizations at their request via email at no charge.

4.0 QUORUM, ATTENDANCE, CALL OF THE BOARD

4.1 Quorum

Three Township Board members shall constitute a quorum for the transaction of business at all meetings of the Township Board.

4.2 Absence of the Clerk

Upon the absence of the Township Clerk, the Board members in attendance shall appoint a member to act as Board Secretary for said meeting.

4.3 Attendance

Regular attendance is expected and each Board member is expected to notify the Township Clerk in a timely manner whenever absence is anticipated.

5.0 MEETING AGENDA

5.1 Regular Meetings

The Township Clerk (or his/her designee) shall prepare the agenda of business for all regularly scheduled Board meetings. Any other Board Member or representative of Township committees desiring to place a matter on the agenda shall notify the Clerk of such item.

5.2 Order of Business

The agenda for regular meetings shall be arranged in the following order of business:

- A. Call to Order
- B. Pledge of Allegiance
- C. Citizen's Comments
- D. Consent Agenda
- E. Agenda Approval
- F. Reports
- G. Accounts Payable
- H. Old Business
- I. New Business
- J. Other Business
- K. Adjourn

The Chair may change the order of the agenda to facilitate action on the business before the Board, or to accommodate those in attendance.

5.2.1 Citizen's Comment

This item of the agenda is reserved for members of the public who do not wish to, or cannot, stay through the entire agenda and wish to speak on any item (agenda related or not). A time limit of three (3) minutes will be strictly enforced and the Board shall respond as is appropriate. Each member of the public shall identify themselves before they speak. The public may also be provided an opportunity to add their comments after or during the discussion of each item on the agenda, after the Board has discussed each item, but before a vote is taken.

5.2.2 Payment of Bills

The list of bills to date will be prepared and distributed for approval at all regular meetings.

5.2.3 Agenda Items

Items placed on the agenda will be subject to a brief explanation by the person placing the item on the agenda.

5.2.4 Old Business

This item will contain any item which was on a previous agenda and which has not been concluded.

5.2.5 New Business

The agenda item will include any item, which is placed before the Board for the first time. For the purpose of this section, new business items will begin with their first appearance subsequent to the adoption of this policy.

5.2.6 Reports

Reports may be presented in written or verbal form.

5.3 Special Meetings

Whenever the Board shall be called into a special meeting, the matters to be considered shall be stated on the agenda for that meeting. No other action matters shall be considered except when all members are present, and only upon unanimous consent of the Board.

6.0 Conduct of Meetings

6.1 Chairperson

The Township Board Supervisor shall moderate and chair all meetings of the Board. In the absence of the Chair, the Clerk shall open the meeting and hold an election for a chairperson for that meeting.

6.2 Speaking

Board members wishing to speak shall first obtain the approval of the Chair and each person who speaks shall address the Chair. Other persons at the meeting shall not speak unless recognized by the chair.

6.3 Disorderly Conduct at the Meeting

The Chair may call to order any person who is being disorderly by speaking or otherwise disrupting the proceedings, by failing to be germane, by speaking longer than the allotted time, or by speaking vulgarities. Such person shall thereupon be seated until the Chair shall have determined whether the person is in order. If a person so engaged in presentation shall be called out of order, he or she shall not be permitted to continue to speak at the same meeting except on special leave by the Township Board. If the person shall continue to be disorderly and disrupt the meeting, the Chair may recess in order to call the sheriff to have the person removed from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting.

7.0 Record of Meeting

7.1 Clerk's (or his/her designee) Responsibility

As the official record keeper for the Township, the Clerk shall be responsible for maintaining the official record (minutes) of each meeting of the Board. The Clerk shall maintain copies of the agenda, and each resolution, or other matter acted upon by the Board. The official minutes, however, may refer to those matters by an identifying number and title descriptive of the ordinance, resolution or other matter.

7.2 Record of Minutes

The Clerk shall be responsible for transcribing a written record of the action taken on all items on the agenda. The minutes shall include the following:

1. The names of the members in attendance.
2. The name of the movers and seconds.
3. The results of all votes including the names and the respective vote on roll call votes.
4. The names of persons presenting reports.

However, the Clerk shall not be responsible for maintaining a written record or summary written record of the discussion or comments of the Board members nor of comments made by members of the public.

The Clerk shall take a separate set of minutes at all closed session. These minutes shall be retained by the Clerk, are not available to the public, and shall only be disclosed if required by a civil action filed under section 10, 11 or 13 of the Open Meetings Act. These minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved. Approval of closed session minutes shall be by motion at an open meeting.

7.3 Request for Remarks to be Included

Any member of the Board may request to have his or her comments printed as part of the record subject to approval of the Board. Such comments to be included, as part of the official record, shall be provided in writing by the member.

7.4 Public Access to Meeting Records

The Clerk shall make available to members of the public the records and minutes of the Board meeting in accordance with the Freedom of Information Act. Minutes prepared by the Clerk, but not approved by the Board, shall be available for public inspection not more than eight (8) business days following the meeting. Minutes approved by the Board shall be available within five (5) business days of the meeting at which they were approved. The Clerk shall also promptly send copies to persons who have subscribed and paid the fee as established by the Township Board.

8.0 Closed Session

8.1 Procedure

The Township may meet in closed session according to the provisions of the Open Meeting Act of 1976, as amended MCLA 15.267 and 15.268. The Township Board shall hold closed sessions without vote for purposes 1 and 2 below. A closed session may be held with a two-thirds vote (4 or more affirmative votes) of the Board for purposes 3, 4, 5, and 6.

8.2 Purposes

Without Vote:

1. To consider the dismissal, suspension, or disciplining of or to hear complaints or charges brought against a public officer, employee, staff member, or individual agent, when the name person requests the meeting to be closed.

2. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.

With Vote:

3. To consider the purchase or lease of real property up to the time an option to lease or purchase of that real property is obtained.
4. To consult with an attorney or consider lease recommendations or alternatives regarding trial, settlement strategies in connection with specific litigation which is pending or imminent, but only when an open meeting would have a detrimental effect on the Township's litigating or settlement position.
5. To review the specific contents of an application for employment or appointment to a Township office when the applicant or candidate requests that the application remain confidential. However, whenever the Board shall meet to interview an applicant or candidate, it shall be in an open session.
6. To consider material exempt from discussion or disclosure by state or federal statute.

8.3 Minutes

The Clerk (or his/her designee) shall take a separate set of minutes at all closed session. These minutes shall be retained by the Clerk (or his/her designee), are not available to the public, and shall only be disclosed if required by a civil action filed under section 10, 11 or 13 of the Open Meetings Act. These minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved. Approval of closed session minutes shall be by motion at an open meeting.

9.0 Motions, Resolutions & Procedural Motions

9.1 Statement by Chair, Written Motion and Resolution

No motion or resolution shall be adopted until stated by the person chairing the meeting, or read by the Clerk. All motions, except procedural motions and resolutions, may be required to be in writing upon the demand of any member. A request to recess for the purpose of writing out a motion or resolution shall be in order. The Clerk shall read each written motion or resolution before being debated, if requested by a Board member.

9.2 Order of Motion

Whenever a question is under debate, no motion shall be received except a motion to:

1. Fix the Time to Adjourn
2. Adjourn
3. Recess
4. Clear the Floor
5. Vote Immediately
6. Lay the Item on the Table
7. Postpone to a Certain Time
8. Commit or Recommit
9. Amend

These motions shall take precedence in the order in which they are stated above.

9.3 Non-debatable Motions

The motion to adjourn, to clear the floor, to recess, to lay an item on the table, to vote immediately, and all questions relating to the priority of business, shall be ordered and voted upon without debate.

9.4 Rules on Procedural Motions

9.4.1 A Motion to Lay on the Table

A decision to lay an item on the table shall carry with it all questions, to which it is attached, except in the case of laying on the table an appeal of the decision of the Chair.

9.4.2 A Motion to Vote Immediately

A motion to vote immediately may be limited by the mover to one or more questions preceding the main question itself. A roll call vote may be demanded on the question to vote immediately. Whenever the question to vote immediately is ordered, any question, order, or appeal from the decision of the Chair shall be decided without debate. If the Board rejects the motion to vote immediately, the consideration of the matter shall be resumed as if no motion therefore had been made.

9.4.3 A Motion to Reconsider

A motion to reconsider shall be in order on any question the Board has decided, but no question shall be reconsidered more than once. The motion to reconsider shall be in order on the same day as the vote to be reconsidered was taken and in the next regular meeting following. The motion to reconsider shall be moved only by a member who voted with the majority on the vote to be reconsidered. A motion to reconsider a motion to amend shall not be in order, if the main question has been voted upon. If the Board has adopted the question of reconsideration, however, motions to amend shall be in order.

A vote to postpone indefinitely shall not be reconsidered. It shall not be in order to take from the table a motion to reconsider, nor shall the vote whereby any motion to reconsider was laid on the table be reconsidered.

9.4.4 A Motion to Clear the Floor

A motion to clear the floor may be made by the Chair at any time the Chair believes that procedural matters have become sufficiently confused. If the motion to clear the floor is adopted, it shall clear the floor completely of all procedural motions and have the same effect as if all such matters have been withdrawn. The motion shall not be subject to debate nor, if adoption, to a motion to reconsider.

9.4.5 A Motion to Temporarily Suspend the Rules

A motion to temporarily suspend the rules may be made at any time. A majority vote of the Township Board (three or more affirmative votes), may temporarily suspend the rules to facilitate the accomplishment of any legal objective of the Board in legal manner.

9.4.6 Appeal from Any Decision

Any member of the Board may appeal any decision of the Chair. On all appeals the question shall be, "Shall the decision of the Chair stand as the judgment of the Township Board?" Appeals shall be debatable except when the Township Board is under operation of the order to vote immediately or the decision appealed from relates to the priority of business. Any such appeal may be laid on the table, but it shall not carry with it the matter before the Board at the time such appeal is taken.

10.0 Voting

10.1 Majority Vote

Whenever the Chair puts a question, every member present shall vote on all questions to be decided by the Township Board. All questions shall be decided by a majority vote (three or more affirmative votes) of the Board.

10.2 Abstain from Voting

Each member of the Township Board, who shall be recorded as present, shall vote on all questions decided by the said Board unless excused by the unanimous consent of the other members present.

10.3 Roll Call Vote

On demand by any Board member, the vote on any pending question shall be taken by a roll call vote. Also, any Member may request that a second vote be taken on a roll call basis, or votes stated, for any action taken with a dissenting vote.

10.4 No Question of Roll Call

When a record roll call vote is demanded on a question and after the Chair has stated the questions, the Clerk (or his/her designee) is directed to call the roll; no member of the Board is entitled to speak on the question, nor shall any motion be in order until such roll call vote is completed and the result is announced. The order of a roll call vote shall be varied during each meeting from one vote to the next in a random manner.

11.0 Parliamentary Authority

11.1 Question on Procedure

All questions of procedure shall be governed in the following order of priority:

1. State Law
2. Township Policy
3. Robert's Rules of Order

12.0 Administration

12.1 Building Use

The primary purpose of Township property is to conduct the necessary business of the Township. Other use of the facility is at the Township Board's discretion. Individuals or organizations wishing to rent or utilize the facility will follow *all* current rules and guidelines as established by the Township Board.

12.2 Building Entrance

Board, commission or committee use of the building has priority over all other scheduling of building use, if seven (7) days prior notice is given, except in the event of an emergency meeting. Board members, Township maintenance personnel, and other persons deemed appropriate by the Board shall be provided a key to access the facility for the purpose of conducting or attending meetings and conducting other business.

12.3 The Freedom of Information Act

The Freedom of Information Act requires that the Township make available copies of certain documents and records at a reasonable cost.

12.4 Expenses

Any employee or Board member shall be reimbursed for actual expenses incurred for conducting any authorized Township related activity or for attending any authorized business meeting or educational conferences.

Any board member requesting that registrations or appropriate fees be paid in advance of any educational conference, seminar or event, as well as all other non-recoverable fees which are paid on behalf of a board member who is subsequently unable or unwilling to attend the educational conference, seminar or event will be personally reimbursed in full to the Township by said board member. (Majority vote of the Township Board may waive this stipulation in emergency situations.)

The Township Board must approve business expenses, which will exceed \$50.00 for a single purchase or event, in advance unless both the Township Clerk and Treasurer confirm immediate need. (Regular supplies such as postage, paper, envelopes and toner are exempt from this requirement.)

A meeting adjourned for lack of a quorum shall include a record of those members present and absent, as well as a record of the action to adjourn.

Township Officers shall be reimbursed for annual expenses incurred according the following schedule:

- Annual communication expense (telephone, cell phone and Internet):

Supervisor, Clerk and Treasurer	\$600 per fiscal year
Trustees	\$300 per fiscal year

- Copy expense (unless the Township provides a Township-owned machine):

Supervisor	\$350 per fiscal year
Treasurer	\$100 per tax season/fiscal year
Clerk	\$150 per fiscal year
Trustee	\$175 per fiscal year

12.5 Meals

Where the activity attended is a daylong event outside the service area, official, employee, commission, or committee member maybe reimbursed for meal expenditures according to the following requirements:

1. Terminology – The term “Township related activity” includes activity, program, conference and similar events.
2. Receipts – Receipts must be provided to receive reimbursement and the reimbursement shall be limited to the receipt amount or reimbursement limit, whichever is lower.
3. Reimbursement Limits – Meals will be reimbursed to a maximum of \$34.00 per day.
4. Meal Coverage – The Township provides reimbursement for meals under the following circumstances.
 - a. Breakfast – Breakfast meals are covered where the meeting extends for more than one day and breakfast meals are limited to meals following an overnight stay at the meeting location.
 - b. Lunch – Luncheon meals are covered at full day meetings or when travel to or from a partial day meeting (or immediately preceding or following any meeting requiring an over-night stay) requires the participant to be away from home during the normally accepted lunch period.
 - c. Dinner – Dinner meals are covered by the policy only when the meeting includes an afternoon session that extends into the evening.

5. Restriction – Meal reimbursement shall not cover alcoholic beverages. Under no circumstances will separate meal reimbursement be made where meal costs are otherwise already covered in the attendance fee for the meeting.

12.6 Mileage

Mileage for Township business will be reimbursed at the prevailing rate set by the IRS.

12.7 Conflict of Interest and Disclosure

It is the policy of this Township that a full and complete disclosure shall be made to the Township Board by any person appointed, contracted or hired by the Township of Eagle, whenever such individuals have reason to believe that a possible conflict of interest may exist between the individual's personal or business interests (including members of the individual's immediate family) and the best interests of the Township.

Conflicts of interest may be considered to exist in those instances where the actions, inaction or activities of an individual on behalf of the Township involve (1) the obtaining of improper personal gain or advantage; (2) an adverse effect upon the Township's interest; or (3) the obtaining by a third party of an improper gain or advantage. Areas relating to or involving conflict of interest in broad terms are defined in the following articles: 12.7.1, 12.7.2, 12.7.3, and 12.7.4.

12.7.1 Personal Financial Interests

Any person appointed, contracted, or hired by the Township, shall disclose any commercial interests, which might influence their official decisions, actions or inaction. Among other things, this would include any financial interest in an enterprise, which has business relations with the Township.

Any person appointed, contracted, or hired by the Township, shall disclose all holdings, either directly or indirectly (i.e. members of their family) of an investment in any business from which the Township secures any goods or services or to which the Township provides or is requested to provide a service or services.

No person appointed, contracted, or hired by the Township, shall collect any fees or commissions on an individual basis in the course of conducting Township business. All Township related fees collected shall be approved by the Township Board and deposited in appropriate accounts for Township purposes.

Any person appointed, contracted, or hired by the Township, shall report, at least annually, to the Township Board with respect to any corporation or unincorporated enterprise in which they (or their immediate family) have an interest, where said business enterprise has, or may, engage in transactions with or require services of the Township.

12.7.2 Inside Information

Confidential Township information received by said persons in the performance of their duties shall not be divulged to others, nor used for personal profit.

12.7.3 Gratuities and Entertainment

Any person appointed, contracted, or hired by the Township, shall not accept gratuities and/or entertainment if it places them under obligations to third parties dealing with, or desiring to do business with the Township.

12.7.4 Other Activities

Employees should avoid employment or activities that may be in conflict with or take away from the time necessary for them to effectively perform their duties and responsibilities. Such employment or activities must not compete or conflict with the interest of the Township.

12.7.5 Disclosure

Each April, the Clerk (or his/her designee) will provide a copy of Board Policies 12.7 through 12.7.6 and a reaffirmation statement to all persons, appointed, contracted, or hired that must be signed and returned to the Clerk within 30 days. Any person appointed, contracted, or hired by the Township, shall submit to the Board, at the end of each fiscal year, a completed statement regarding any potential areas for conflict of interest. Said persons shall immediately report to the Township Board any new additional information on any matter which is covered by this section of policy.

If a person appointed, contracted, or hired by the Township, finds that they (or a member of their immediate family) has, or is considering the assumption of a financial interest, or if they are in doubt as to the proper application of this section of policy, the individual shall immediately disclose all facts to the Township Board and be guided by the Board's instructions regarding the matter. Except as directed by those instructions, the individual should refrain from exercising responsibility in any matter, which might reasonably be considered to involve an adverse or conflicting interest.

12.7.6 Affirmation of Compliance

It shall be required for each person appointed, contracted, or hired by the Township, to sign a statement that they have read Township Board Policy 12.7 in its entirety prior to commencing their respective duties. It shall further be a requirement that each new person appointed, contracted, or hired by the Township shall annually reaffirm their compliance with said policy by placing on file, with the Clerk, an acknowledgement of receipt and compliance with said policy via email.

EAGLE TOWNSHIP

MISSION-To look forward toward the next decade to develop the community at a reasonable growth rate and yet protect the varied natural resources of the Township's land and its people.

STRATEGIC PLAN SWOT ANALYSIS--DRAFT

Strengths	Weaknesses	Opportunities	Threats
<ul style="list-style-type: none"> Unrestricted fund balance of \$1.6M per audit 3/23 	<ul style="list-style-type: none"> Lacked transparency and communication with community. Professional liability (PL) insurance policy limit at \$100,000 with defense cost in limit. 	<ul style="list-style-type: none"> Enhance operational infrastructure and governance. Create Master Plan based on community vision. Review mission. Expand legal representation. Seek grants 	<ul style="list-style-type: none"> Lack of local planning and zoning. MEDC plan for a Mega-site in Eagle Lack local control of utility scale-wind and solar. EMS budget increase of 25% in 3 years.
<p>Actions/Considerations Develop general fund rationale statement.</p>	<p>Actions/Considerations Increased PL insurance to \$250,000 in 3/2024 and seeking coverage options with defense outside the limit.</p>	<p>Actions/Considerations -Community workshop and survey completed 3/2024 -Master Plan draft completed</p>	<p>Actions/Considerations Implemented local planning and zoning 1/1/24.</p>

EAGLE TOWNSHIP STRATEGIC PLAN--DRAFT

Goals, Objectives, Implementation

Goals/Strategic Directives	Objectives	Initiatives (What?)	Methods and Primary Responsibility (How?)	Measures and Outcome
1. Local Planning and Zoning				
2. Development of Master Plan				
3. Communication and Transparency				
4. Operational Infrastructure and Governance				
5. EMS Balance Value and Service				

EAGLE TOWNSHIP STRATEGIC PLAN--DRAFT

Goals, Objectives, Implementation

AGREEMENT FOR IMPROVEMENTS ON CLINTON COUNTY ROADS

PROJECT NO.: 497.007.070474

This agreement made and entered into this _____ day of _____ 2024 by and between the Township Board of Eagle Township, Clinton County Michigan, parties of the first part, and the Board of Clinton County Road Commissioners, parties of the second part.

WHEREAS, the parties of the first part desire that certain improvements be made on the road listed below, a county local road, and

WHEREAS, Section 14 and 20 of Act 51 of the Public Acts of 1951 provide proper authority to the parties of this agreement;

IT IS NOW THEREFORE AGREED that the parties of the second part will accomplish the improvements as specified herein:

Clark Rd – Wright to Bauer (1.00 mile) – Chipseal using CRS2M, slag stone & fogseal

ESTIMATED PROJECT COST \$31,034.00

COST SHARE DOES APPLY TO THIS PROJECT DEPENDENT UPON COST SHARE BALANCE

NOTE: This is an estimate and cost may vary

The parties of the first part shall, in consideration of the completion of any portion of the above-specified improvements, deposit into the County Road Fund of Clinton County, Michigan, upon demand of the parties of the second part, the costs of the completed portions of the improvements less any County Road Commission participation.

IN WITNESS of whom, the parties have hereunto set their hands and seals the day and year above written.

FOR THE _____ TOWNSHIP BOARD

_____ SUPERVISOR

_____ CLERK

_____ TREASURER

FOR THE BOARD OF CLINTON COUNTY ROAD COMMISSIONERS:

_____ MANAGER

_____ CLERK

CLINTON COUNTY ROAD COMMISSION CONSTRUCTION ESTIMATE

TOWNSHIP: Eagle

CONTRACT NEEDED?

DATE: 4/17/2024

ROAD: Clark

LOCATION: Wright to Bauer

ROAD TYPE: local

MILES: 1.000

PROJECT NUMBER: 497.007.070474

DESCRIPTION OF WORK: Chipseal Using CRS-2M Emulsion, Slag Stone, and Fog Seal

ITEM:	QTY:	TOTALS:
100000 Chloride	0 Gal	\$ -
109001 Asphalt	0 Tons	\$ -
109002 Gravel	0 Tons	\$ -
109004 Chip Seal	6000 Gal	\$ 19,100.00
	Emulsion	
	Stone	\$ 8,400.00
109004 Fog Seal	1600 Gal	\$ 3,284.00
109005 Grading	0 Days	\$ -
109006 Grading - Add'l Lane/Elev Chg.	0 Days	\$ -
109007 Sub Base	0 Tons	\$ -
	Sand	
	Gravel	\$ -
109008 Sub Base-Rel	0 Tons	\$ -
	Sand	
	Gravel	\$ -
109009 Overband	0 Lbs	\$ -
109012 Spray Patch	0 Days	\$ -
119001 Shoulder Grading	0 Days	\$ -
119002 Shoulder Gravel	0 Tons	\$ -
120000 Clearing & Grubbing	0 Days	\$ -
120001 Clearing & Grubbing - Relocation	0 Days	\$ -
121000 Tree and Brush Removal	0 Days	\$ -
122000 Drainage and Backslope	0 Days	\$ -
	Drive Tubes	
	12"	\$ -
	15"	\$ -
	Cross Tubes	
	12"	\$ -
	15"	\$ -
	24"	\$ -
	36"	\$ -
122001 Ditching	0 Days	\$ -
122002 Ditching - Relocate	0 Days	\$ -
122003 Culvert Structure - over 36"	0 Ft.	\$ -
123000 Seed and Mulch	0 Syd	\$ -
	Seed	
	Mulch	\$ -
126000 Grass & Weed - Mowing	0 Days	\$ -
127000 Brush Spray	0 LSUM	\$ -
128000 Culvert & Underdrain Maint.	0 Days	\$ -
130000 Guardrail and Posts	0 Ea	\$ -
160000 Pavement Marking	0 LSUM	\$ -
160000 Traffic Control	1 Days	\$ 250.00
180000 Engineering	0 Days	\$ -
185000 Field Supervision	0 Days	\$ -
Reflective Tabs	0 Ea	\$ -
TOTAL:		\$ 31,034.00

**COST SHARE APPLIES TO THIS PROJECT
DEPENDENT UPON THE COST SHARE AVAILABLE**

NOTE: This is an estimate and cost may vary

AGREEMENT FOR IMPROVEMENTS ON CLINTON COUNTY ROADS

PROJECT NO.: 497.007.070574

This agreement made and entered into this _____ day of _____ 2024 by and between the Township Board of Eagle Township, Clinton County Michigan, parties of the first part, and the Board of Clinton County Road Commissioners, parties of the second part.

WHEREAS, the parties of the first part desire that certain improvements be made on the road listed below, a county local road, and

WHEREAS, Section 14 and 20 of Act 51 of the Public Acts of 1951 provide proper authority to the parties of this agreement;

IT IS NOW THEREFORE AGREED that the parties of the second part will accomplish the improvements as specified herein:

Clark Rd – Wright to I96 Exit E of Grange (2.52 mile) – Chipseal using CRS2M, slag stone & fogseal

ESTIMATED PROJECT COST \$76,757.00

COST SHARE DOES APPLY TO THIS PROJECT DEPENDENT UPON COST SHARE BALANCE

NOTE: This is an estimate and cost may vary

The parties of the first part shall, in consideration of the completion of any portion of the above-specified improvements, deposit into the County Road Fund of Clinton County, Michigan, upon demand of the parties of the second part, the costs of the completed portions of the improvements less any County Road Commission participation.

IN WITNESS of whom, the parties have hereunto set their hands and seals the day and year above written.

FOR THE _____ TOWNSHIP BOARD

_____ SUPERVISOR

_____ CLERK

_____ TREASURER

FOR THE BOARD OF CLINTON COUNTY ROAD COMMISSIONERS:

_____ MANAGER

_____ CLERK

CLINTON COUNTY ROAD COMMISSION CONSTRUCTION ESTIMATE

TOWNSHIP: Eagle

CONTRACT NEEDED?

DATE: 4/17/2024

ROAD: Clark

LOCATION: Wright to I-96 Exit East of Grange

ROAD TYPE: Local

MILES: 2.520

PROJECT NUMBER: 497.007.070574

DESCRIPTION OF WORK: Chipseal using CRS-2M Emulsion, Slag Stone, anf Fog Seal

ITEM:	QTY:	TOTALS:
100000 Chloride	0 Gal	\$ -
109001 Asphalt	0 Tons	\$ -
109002 Gravel	0 Tons	\$ -
109004 Chip Seal	Emulsion	\$ -
	15300 Gal	\$ 45,625.00
	Stone	\$ -
	420 Tons	\$ 22,050.00
109004 Fog Seal	4300 Gal	\$ 8,582.00
109005 Grading	0 Days	\$ -
109006 Grading - Add'l Lane/Elev Chg.	0 Days	\$ -
109007 Sub Base	Sand	\$ -
	0 Tons	\$ -
	Gravel	\$ -
	0 Tons	\$ -
109008 Sub Base-Rel	Sand	\$ -
	0 Tons	\$ -
	Gravel	\$ -
	0 Tons	\$ -
109009 Overband	0 Lbs	\$ -
109012 Spray Patch	0 Days	\$ -
119001 Shoulder Grading	0 Days	\$ -
119002 Shoulder Gravel	0 Tons	\$ -
120000 Clearing & Grubbing	0 Days	\$ -
120001 Clearing & Grubbing - Relocation	0 Days	\$ -
121000 Tree and Brush Removal	0 Days	\$ -
122000 Drainage and Backslope	0 Days	\$ -
	Drive Tubes	\$ -
	12" 0 Ft.	\$ -
	15" 0 Ft.	\$ -
	Cross Tubes	\$ -
	12" 0 Ft.	\$ -
	15" 0 Ft.	\$ -
	24" 0 Ft.	\$ -
	36" 0 Ft.	\$ -
122001 Ditching	0 Days	\$ -
122002 Ditching - Relocate	0 Days	\$ -
122003 Culvert Structure - over 36"	0 Ft.	\$ -
123000 Seed and Mulch	Seed	\$ -
	0 Syd	\$ -
	Mulch	\$ -
	0 Bales	\$ -
126000 Grass & Weed - Mowing	0 Days	\$ -
127000 Brush Spray	0 LSUM	\$ -
128000 Culvert & Underdrain Maint.	0 Days	\$ -
130000 Guardrail and Posts	0 Ea	\$ -
160000 Pavement Marking	0 LSUM	\$ -
160000 Traffic Control	1 Days	\$ 500.00
180000 Engineering	0 Days	\$ -
185000 Field Supervision	0 Days	\$ -
	Reflective Tabs	\$ -
	0 Ea	\$ -
TOTAL:		\$ 76,757.00

**COST SHARE APPLIES TO THIS PROJECT
DEPENDENT UPON THE COST SHARE AVAILABLE**

NOTE: This is an estimate and cost may vary

AGREEMENT FOR IMPROVEMENTS ON CLINTON COUNTY ROADS

PROJECT NO.: 497.007.070674

This agreement made and entered into this _____ day of _____ 2024 by and between the Township Board of Eagle Township, Clinton County Michigan, parties of the first part, and the Board of Clinton County Road Commissioners, parties of the second part.

WHEREAS, the parties of the first part desire that certain improvements be made on the road listed below, a county local road, and

WHEREAS, Section 14 and 20 of Act 51 of the Public Acts of 1951 provide proper authority to the parties of this agreement;

IT IS NOW THEREFORE AGREED that the parties of the second part will accomplish the improvements as specified herein:

Eaton Hwy – Wright to Bauer (1.01 mile) – Chipseal using CRS2M, slag stone & fogseal

ESTIMATED PROJECT COST \$31,034.00

COST SHARE DOES APPLY TO THIS PROJECT DEPENDENT UPON COST SHARE BALANCE

NOTE: This is an estimate and cost may vary

The parties of the first part shall, in consideration of the completion of any portion of the above-specified improvements, deposit into the County Road Fund of Clinton County, Michigan, upon demand of the parties of the second part, the costs of the completed portions of the improvements less any County Road Commission participation.

IN WITNESS of whom, the parties have hereunto set their hands and seals the day and year above written.

FOR THE _____ TOWNSHIP BOARD

_____ SUPERVISOR

_____ CLERK

_____ TREASURER

FOR THE BOARD OF CLINTON COUNTY ROAD COMMISSIONERS:

_____ MANAGER

_____ CLERK

CLINTON COUNTY ROAD COMMISSION CONSTRUCTION ESTIMATE

TOWNSHIP: Eagle

CONTRACT NEEDED?

DATE: 4/17/2024

ROAD: Eaton Highway

LOCATION: Wright to Bauer

ROAD TYPE: Local

MILES: 1.010

PROJECT NUMBER: 497.007.070674

DESCRIPTION OF WORK: Chipseal Using CRS-2M Emulsion, Slag Stone, and Fog Seal

ITEM:	QTY:	TOTALS:
100000 Chloride	0 Gal	\$ -
109001 Asphalt	0 Tons	\$ -
109002 Gravel	0 Tons	\$ -
109004 Chip Seal	Emulsion 6000 Gal	\$ 19,100.00
	Stone 160 Tons	\$ 8,400.00
109004 Fog Seal	1600 Gal	\$ 3,284.00
109005 Grading	0 Days	\$ -
109006 Grading - Add'l Lane/Elev Chg.	0 Days	\$ -
109007 Sub Base	Sand 0 Tons	\$ -
	Gravel 0 Tons	\$ -
109008 Sub Base-Rel	Sand 0 Tons	\$ -
	Gravel 0 Tons	\$ -
109009 Overband	0 Lbs	\$ -
109012 Spray Patch	0 Days	\$ -
119001 Shoulder Grading	0 Days	\$ -
119002 Shoulder Gravel	0 Tons	\$ -
120000 Clearing & Grubbing	0 Days	\$ -
120001 Clearing & Grubbing - Relocation	0 Days	\$ -
121000 Tree and Brush Removal	0 Days	\$ -
122000 Drainage and Backslope	0 Days	\$ -
	Drive Tubes 12" 0 Ft.	\$ -
	15" 0 Ft.	\$ -
	Cross Tubes 12" 0 Ft.	\$ -
	15" 0 Ft.	\$ -
	24" 0 Ft.	\$ -
	36" 0 Ft.	\$ -
122001 Ditching	0 Days	\$ -
122002 Ditching - Relocate	0 Days	\$ -
122003 Culvert Structure - over 36"	0 Ft.	\$ -
123000 Seed and Mulch	Seed 0 Syd	\$ -
	Mulch 0 Bales	\$ -
126000 Grass & Weed - Mowing	0 Days	\$ -
127000 Brush Spray	0 LSUM	\$ -
128000 Culvert & Underdrain Maint.	0 Days	\$ -
130000 Guardrail and Posts	0 Ea	\$ -
160000 Pavement Marking	0 LSUM	\$ -
160000 Traffic Control	0 Days	\$ -
180000 Engineering	0 Days	\$ -
185000 Field Supervision	1 Days	\$ 250.00
Reflective Tabs	0 Ea	\$ -
TOTAL:		\$ 31,034.00

**COST SHARE APPLIES TO THIS PROJECT
DEPENDENT UPON THE COST SHARE AVAILABLE**

NOTE: This is an estimate and cost may vary

AGREEMENT FOR IMPROVEMENTS ON CLINTON COUNTY ROADS

PROJECT NO.: 497.007.070774

This agreement made and entered into this _____ day of _____ 2024 by and between the Township Board of Eagle Township, Clinton County Michigan, parties of the first part, and the Board of Clinton County Road Commissioners, parties of the second part.

WHEREAS, the parties of the first part desire that certain improvements be made on the road listed below, a county local road, and

WHEREAS, Section 14 and 20 of Act 51 of the Public Acts of 1951 provide proper authority to the parties of this agreement;

IT IS NOW THEREFORE AGREED that the parties of the second part will accomplish the improvements as specified herein:

Roadside mowing of local gravels - (24.06 miles)

ESTIMATED PROJECT COST \$3,800.00

COST SHARE DOES APPLY TO THIS PROJECT DEPENDENT UPON COST SHARE BALANCE

NOTE: This is an estimate and cost may vary

The parties of the first part shall, in consideration of the completion of any portion of the above-specified improvements, deposit into the County Road Fund of Clinton County, Michigan, upon demand of the parties of the second part, the costs of the completed portions of the improvements less any County Road Commission participation.

IN WITNESS of whom, the parties have hereunto set their hands and seals the day and year above written.

FOR THE _____ TOWNSHIP BOARD

_____ SUPERVISOR

_____ CLERK

_____ TREASURER

FOR THE BOARD OF CLINTON COUNTY ROAD COMMISSIONERS:

_____ MANAGER

_____ CLERK

CLINTON COUNTY ROAD COMMISSION CONSTRUCTION ESTIMATE

TOWNSHIP: Eagle

CONTRACT NEEDED?

DATE: 4/17/2024

ROAD: Local Gravels

LOCATION:

ROAD TYPE: Local

MILES: 24.060

PROJECT NUMBER: 497.007.070774

DESCRIPTION OF WORK: Roadside Mowing on Local Gravels

ITEM:	QTY:	TOTALS:
100000 Chloride	0 Gal	\$ -
109001 Asphalt	0 Tons	\$ -
109002 Gravel	0 Tons	\$ -
109004 Chip Seal	Emulsion	\$ -
	Stone	\$ -
109004 Fog Seal	0 Gal	\$ -
109005 Grading	0 Days	\$ -
109006 Grading - Add'l Lane/Elev Chg.	0 Days	\$ -
109007 Sub Base	Sand	\$ -
	Gravel	\$ -
109008 Sub Base-Rel	Sand	\$ -
	Gravel	\$ -
109009 Overband	0 Lbs	\$ -
109012 Spray Patch	0 Days	\$ -
119001 Shoulder Grading	0 Days	\$ -
119002 Shoulder Gravel	0 Tons	\$ -
120000 Clearing & Grubbing	0 Days	\$ -
120001 Clearing & Grubbing - Relocation	0 Days	\$ -
121000 Tree and Brush Removal	0 Days	\$ -
122000 Drainage and Backslope	0 Days	\$ -
	Drive Tubes	\$ -
	12"	\$ -
	15"	\$ -
	Cross Tubes	\$ -
	12"	\$ -
	15"	\$ -
	24"	\$ -
	36"	\$ -
122001 Ditching	0 Days	\$ -
122002 Ditching - Relocate	0 Days	\$ -
122003 Culvert Structure - over 36"	0 Ft.	\$ -
123000 Seed and Mulch	Seed	\$ -
	Mulch	\$ -
126000 Grass & Weed - Mowing	2 Days	\$ 3,800.00
127000 Brush Spray	0 LSUM	\$ -
128000 Culvert & Underdrain Maint.	0 Days	\$ -
130000 Guardrail and Posts	0 Ea	\$ -
160000 Pavement Marking	0 LSUM	\$ -
160000 Traffic Control	0 Days	\$ -
180000 Engineering	0 Days	\$ -
185000 Field Supervision	0 Days	\$ -
	Reflective Tabs	\$ -
	0 Ea	\$ -
TOTAL:		\$ 3,800.00

**COST SHARE APPLIES TO THIS PROJECT
DEPENDENT UPON THE COST SHARE AVAILABLE**

NOTE: This is an estimate and cost may vary

AGREEMENT FOR IMPROVEMENTS ON CLINTON COUNTY ROADS

PROJECT NO.: 497.007.070274

This agreement made and entered into this _____ day of _____, 2024 by and between the Township Board of Eagle Township, Clinton County Michigan, parties of the first part, and the Board of Clinton County Road Commissioners, parties of the second part.

WHEREAS, the parties of the first part desire that certain improvements be made on the road listed below, a county local road, and

WHEREAS, Section 14 and 20 of Act 51 of the Public Acts of 1951 provide proper authority to the parties of this agreement;

IT IS NOW THEREFORE AGREED that the parties of the second part will accomplish the improvements as specified herein:

Various local roads – Brush Spray

ESTIMATED PROJECT COST \$4,262.40

**COST SHARE DOES APPLY TO THIS PROJECT
DEPENDENT UPON COST SHARE BALANCE**

NOTE: This is an estimate and cost may vary

The parties of the first part shall, in consideration of the completion of any portion of the above specified improvements, deposit into the County Road Fund of Clinton County, Michigan, upon demand of the parties of the second part, the costs of the completed portions of the improvements less any County Road Commission participation.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year above written.

FOR THE _____ TOWNSHIP BOARD

_____ SUPERVISOR

_____ CLERK

_____ TREASURER

FOR THE BOARD OF CLINTON COUNTY ROAD COMMISSIONERS:

_____ MANAGER

_____ CLERK

CLINTON COUNTY ROAD COMMISSION CONSTRUCTION ESTIMATE

TOWNSHIP: Eagle

CONTRACT NEEDED?

DATE: 4/17/2024

ROAD: Various

LOCATION:

ROAD TYPE: Local

MILES: 28.800

PROJECT NUMBER: 497.007.070274

DESCRIPTION OF WORK: Brush Spray

ITEM:	QTY:	TOTALS:
100000 Chloride	0 Gal	\$ -
109001 Asphalt	0 Tons	\$ -
109002 Gravel	0 Tons	\$ -
109004 Chip Seal	Emulsion	\$ -
	Stone	\$ -
109004 Fog Seal	0 Gal	\$ -
109005 Grading	0 Days	\$ -
109006 Grading - Add'l Lane/Elev Chg.	0 Days	\$ -
109007 Sub Base	Sand	\$ -
	Gravel	\$ -
109008 Sub Base-Rel	Sand	\$ -
	Gravel	\$ -
109009 Overband/Crack Seal	0 Tons	\$ -
119001 Shoulder Grading	0 Days	\$ -
119002 Shoulder Gravel	0 Tons	\$ -
120000 Clearing & Grubbing	0 Days	\$ -
120001 Clearing & Grubbing - Relocation	0 Days	\$ -
121000 Tree and Brush Removal	0 Days	\$ -
122000 Drainage and Backslope	0 Days	\$ -
	Drive Tubes	\$ -
	12"	0 Ft.
	15"	0 Ft.
	Cross Tubes	\$ -
	12"	0 Ft.
	15"	0 Ft.
	24"	0 Ft.
	36"	0 Ft.
122001 Ditching	0 Days	\$ -
122002 Ditching - Relocate	0 Days	\$ -
122003 Culvert Structure - over 36"	0 Ft.	\$ -
123000 Seed and Mulch	Seed	\$ -
	Mulch	0 Bales
126000 Grass & Weed - Mowing	0 Days	\$ -
127000 Brush Spray	28.8 Miles	\$ 4,262.40
128000 Culvert & Underdrain Maint.	0 Days	\$ -
130000 Guardrail and Posts	0 Ea	\$ -
160000 Pavement Marking	0 LSUM	\$ -
160000 Traffic Control	0 Days	\$ -
180000 Engineering	0 Days	\$ -
185000 Field Supervision	0 Days	\$ -
	Reflective Tabs	\$ -
		\$ -
TOTAL:		\$ 4,262.40

**COST SHARE APPLIES TO THIS PROJECT
DEPENDENT UPON THE COST SHARE AVAILABLE**

NOTE: This is an estimate and cost may vary

AGREEMENT FOR IMPROVEMENTS ON CLINTON COUNTY ROADS

PROJECT NO.: 497.007.070374

This agreement made and entered into this _____ day of _____, 2024 by and between the Township Board of Eagle Township, Clinton County Michigan, parties of the first part, and the Board of Clinton County Road Commissioners, parties of the second part.

WHEREAS, the parties of the first part desire that certain improvements be made on the road listed below, a county local road, and

WHEREAS, Section 14 and 20 of Act 51 of the Public Acts of 1951 provide proper authority to the parties of this agreement;

IT IS NOW THEREFORE AGREED that the parties of the second part will accomplish the improvements as specified herein:

Various local roads – Overband crack fill

ESTIMATED PROJECT COST \$7,498.92

COST SHARE DOES APPLY TO THIS PROJECT DEPENDENT UPON COST SHARE BALANCE

NOTE: This is an estimate and cost may vary

The parties of the first part shall, in consideration of the completion of any portion of the above specified improvements, deposit into the County Road Fund of Clinton County, Michigan, upon demand of the parties of the second part, the costs of the completed portions of the improvements less any County Road Commission participation.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year above written.

FOR THE _____ TOWNSHIP BOARD

_____ SUPERVISOR

_____ CLERK

_____ TREASURER

FOR THE BOARD OF CLINTON COUNTY ROAD COMMISSIONERS:

_____ MANAGER

_____ CLERK

CLINTON COUNTY ROAD COMMISSION CONSTRUCTION ESTIMATE

TOWNSHIP: Eagle

CONTRACT NEEDED?

DATE: 4/17/2024

ROAD: Various

LOCATION:

ROAD TYPE: Local

MILES: 0.000

PROJECT NUMBER: 497.007.070374

DESCRIPTION OF WORK: Overband on local blacktop roads in Eagle Twp

ITEM:	QTY:	TOTALS:
100000 Chloride	0 Gal	\$ -
109001 Asphalt	0 Tons	\$ -
109002 Gravel	0 Tons	\$ -
109004 Chip Seal	Emulsion	\$ -
	Stone	\$ -
109004 Fog Seal	0 Gal	\$ -
109005 Grading	0 Days	\$ -
109006 Grading - Add'l Lane/Elev Chg.	0 Days	\$ -
109007 Sub Base	Sand	\$ -
	Gravel	\$ -
109008 Sub Base-Rel	Sand	\$ -
	Gravel	\$ -
109009 Overband/Crack Seal	6578 LBS	\$ 7,498.92
119001 Shoulder Grading	0 Days	\$ -
119002 Shoulder Gravel	0 Tons	\$ -
120000 Clearing & Grubbing	0 Days	\$ -
120001 Clearing & Grubbing - Relocation	0 Days	\$ -
121000 Tree and Brush Removal	0 Days	\$ -
122000 Drainage and Backslope	0 Days	\$ -
	Drive Tubes	\$ -
	12"	\$ -
	15"	\$ -
	Cross Tubes	\$ -
	12"	\$ -
	15"	\$ -
	24"	\$ -
	36"	\$ -
122001 Ditching	0 Days	\$ -
122002 Ditching - Relocate	0 Days	\$ -
122003 Culvert Structure - over 36"	0 Ft.	\$ -
123000 Seed and Mulch	Seed	\$ -
	Mulch	\$ -
126000 Grass & Weed - Mowing	0 Days	\$ -
127000 Brush Spray	0 LSUM	\$ -
128000 Culvert & Underdrain Maint.	0 Days	\$ -
130000 Guardrail and Posts	0 Ea	\$ -
160000 Pavement Marking	0 LSUM	\$ -
160000 Traffic Control	0 Days	\$ -
180000 Engineering	0 Days	\$ -
185000 Field Supervision	0 Days	\$ -
Reflective Tabs	0 Ea	\$ -
TOTAL:		\$ 7,498.92

**COST SHARE APPLIES TO THIS PROJECT
DEPENDENT UPON THE COST SHARE AVAILABLE**

NOTE: This is an estimate and cost may vary

March 18, 2024

AGREEMENT FOR IMPROVEMENTS ON CLINTON COUNTY ROADS

PROJECT NO.: 497.007.070174

This agreement made and entered into this _____ day of _____, 2024 by and between the Township Board of Eagle Township, Clinton County Michigan, parties of the first part, and the Board of Clinton County Road Commissioners, parties of the second part.

WHEREAS, the parties of the first part desire that certain improvements be made on the road listed below, a county local road, and

WHEREAS, Section 14 and 20 of Act 51 of the Public Acts of 1951 provide proper authority to the parties of this agreement;

IT IS NOW THEREFORE AGREED that the parties of the second part will accomplish the improvements as specified herein:

Per chloride specifications on back

ESTIMATED PROJECT COST \$23,026.86

COST SHARE DOES NOT APPLY TO THIS PROJECT

NOTE: This is an estimate and cost may vary

The parties of the first part shall, in consideration of the completion of any portion of the above specified improvements, deposit into the County Road Fund of Clinton County, Michigan, upon demand of the parties of the second part, the costs of the completed portions of the improvements less any County Road Commission participation.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year above written.

FOR THE _____ TOWNSHIP BOARD

_____ SUPERVISOR

_____ CLERK

_____ TREASURER

FOR THE BOARD OF CLINTON COUNTY ROAD COMMISSIONERS:

_____ MANAGER

_____ CLERK

**EAGLE TOWNSHIP
2024**

CHLORIDE

24.06 miles

Three Applications:

120,559.50 gallons Mineral Well Brine

1st application 5 ton, two passes with a 5' overlap (1650 gal/mile) - 39,699 gallons
7 Intersections - 50 gallons per intersection (350 gallons)

2nd application 5 ton, two passes with a 5' overlap (1650 gal/mile) - 39,699 gallons
7 Intersections - 50 gallons per intersection (350 gallons)

3rd application 5 ton, two passes with a 5' overlap (1650 gal/mile) - 39,699 gallons
7 Intersections - 50 gallons per intersection (350 gallons)


****Chloride the park drive off Grange Road Approx 0.5 miles
5 ton, one passes (825 gal/mile) - 412.5 gallons**

Gallons	Price/Gal	Total
120,559.50	0.191	\$23,026.86
TOTAL		\$23,026.86

2024 Application for Fireworks Other Than Consumer or

FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD ONLY

DATE PERMIT(S) EXPIRE:

Authority: 2011 PA 256		The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.	
TYPE OF PERMIT(S) (Select all applicable boxes) <input type="checkbox"/> Agricultural or Wildlife Fireworks <input type="checkbox"/> Association Fireworks <input checked="" type="checkbox"/> Public Display <input type="checkbox"/> Private Display		ADDRESS OF APPLICANT 6601 W. Grand River 48906	
NAME OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes		ADDRESS OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER	
IS A NON-RESIDENT APPLICANT (LIST NAME OF MICHIGAN ATTORNEY OR SPECIAL RESIDENT AGENT) Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes		TELEPHONE NUMBER 517-574-5232	
NAME OF PYROTECHNIC OPERATOR Caleb Witgen		ADDRESS OF PYROTECHNIC OPERATOR 6601 W. Grand River Lansing	
NO. YEARS EXPERIENCE 14		AGE OF PYROTECHNIC OPERATOR 18 YEARS OR OLDER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
NO. DISPLAYS 230		WHERE Michigan, SC and Kansas	
NAME OF ASSISTANT N/A		ADDRESS OF ASSISTANT	
NAME OF OTHER ASSISTANT		ADDRESS OF OTHER ASSISTANT	
EXACT LOCATION OF PROPOSED DISPLAY Softball Field Eagle Park			
DATE OF PROPOSED DISPLAY 5-10-24		TIME OF PROPOSED DISPLAY 8pm	
MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT Store @ Warehouse 6601 W. Grand River Ave Lansing MI 48906			
AMOUNT OF BOND OR INSURANCE (TO BE SET BY LOCAL GOVERNMENT) 10 million		NAME OF BONDING CORPORATION OR INSURANCE COMPANY Gemini Insurance see Certificate	
ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY PO. Box 2412 Daytona Beach FL 32115-2412			
NUMBER OF FIREWORKS 500		KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed) < 1.75" Consumer Fireworks DOT Class 1.4g Fireworks UN0336	
SIGNATURE OF APPLICANT 			DATE 4-15-24

2024 Permit for Fireworks Other than Consumer or Low Impact

Authority: 2011 PA 256	The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.
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This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only through permit expiration date.

TYPE OF PERMIT(S) (Select all applicable boxes) <input type="checkbox"/> Agricultural or Wildlife Fireworks <input type="checkbox"/> Articles Pyrotechnic <input type="checkbox"/> Display Fireworks <input checked="" type="checkbox"/> Public Display <input type="checkbox"/> Private Display <input type="checkbox"/> Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes	FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD ONLY. PERMIT(S) EXPIRATION DATE (ENTER DATE OF EXPIRATION)
NAME OF PERSON PERMIT ISSUED TO <u>Sean Conn</u>	AGE (18 YEARS OR OLDER) <input type="checkbox"/> YES <input type="checkbox"/> NO
ADDRESS OF PERSON PERMIT ISSUED TO <u>6601 W. Grand River Ave Lansing 48906</u>	
NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION <u>Big Fireworks</u>	
ADDRESS <u>same as above</u>	
NUMBER AND TYPES OF FIREWORKS (Please attach additional pages if necessary) <u>500-1.75" or less Consumer Fireworks DOT class</u> <u>1.4g Fireworks UN0336</u>	
EXACT LOCATION OF DISPLAY OR USE <u>Softball Diamond Eagle Park</u>	
CITY, VILLAGE, TOWNSHIP <u>Eagle</u>	DATE <u>5-10-24</u>
BOND OR INSURANCE FILED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	TIME <u>≈ 8pm</u> AMOUNT <u>\$25</u>

Issued by action of the Legislative Body of the <input type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Township of _____ on the _____ day of _____, 2024. _____ (Signature and Title of Legislative Body Representative)
--

THIS FORM IS VALID UNTIL THE DATE OF EXPIRATION OF PERMIT



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/15/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Brown & Brown Insurance Services, Inc. P.O. Box 2412 Daytona Beach FL 32115-2412		CONTACT NAME: Courtney Crown PHONE (A/C, No, Ext): (386) 252-9601 E-MAIL ADDRESS: Courtney.Crown@bbrown.com		FAX (A/C, No): (386) 239-5729	
INSURED American Eagle Superstore, Inc. Big Fireworks 2203 Deerfield Dr Attn: Eric Stajos Fort Mill SC 29715		INSURER(S) AFFORDING COVERAGE		NAIC #	
		INSURER A: Gemini Insurance Company			
		INSURER B: Arch Insurance Company		11150	
		INSURER C: AXIS Surplus Insurance Company		26620	
		INSURER D: LM Insurance Corporation			
		INSURER E:			
		INSURER F:			

COVERAGES**CERTIFICATE NUMBER:** 24-25**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			VNGP001744	09/15/2023	09/15/2024	EACH OCCURRENCE	\$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 50,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB			P-001-000183506-04	09/15/2023	09/15/2024	PERSONAL & ADV INJURY	\$ 1,000,000
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						GENERAL AGGREGATE	\$ 2,000,000
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	WC5-34S-528710-023	06/25/2023	06/25/2024	PRODUCTS - COMP/OP AGG	\$ 2,000,000
B	Excess Liability			UXP0059088-07	09/15/2023	09/15/2024	PER STATUTE	\$
							OTHER	\$
							E.L. EACH ACCIDENT	\$ 500,000
							E.L. DISEASE - EA EMPLOYEE	\$ 500,000
							E.L. DISEASE - POLICY LIMIT	\$ 500,000
							Each Occurrence	5,000,000
							Aggregate	5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

EAGLE TOWNSHIP & EAGLE PARK FAIRGROUNDS ARE INCLUDED AS ADDITIONAL INSURED ON THE GENERAL LIABILITY. FIREWORK DEMO AT 14318 S GRANGE RD. EAGLE MI 48822 ON 5/10/24

CERTIFICATE HOLDER**CANCELLATION**

EAGLE PARK FAIRGROUNDS 14318 S GRANGE RD EAGLE MI 48822	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Matt Christoforo</i>
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2024 Permit for Fireworks Other than Consumer or Low Impact

Authority: 2011 PA 256	The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.
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This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only through permit expiration date.

TYPE OF PERMIT(S) (Select all applicable boxes) <input type="checkbox"/> Agricultural or Wildlife Fireworks <input type="checkbox"/> Articles Pyrotechnic <input type="checkbox"/> Display Fireworks <input checked="" type="checkbox"/> Public Display <input type="checkbox"/> Private Display <input type="checkbox"/> Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes	FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD ONLY. PERMIT(S) EXPIRATION DATE (ENTER DATE OF EXPIRATION) May 10, 2024 11 pm
NAME OF PERSON PERMIT ISSUED TO Sean Conn	
ADDRESS OF PERSON PERMIT ISSUED TO 6601 W Grand River Ave, Lansing, MI 48906	
NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION Big Fireworks	
ADDRESS 6601 W Grand River Ave, Lansing, MI 48906	
NUMBER AND TYPES OF FIREWORKS (Please attach additional pages if necessary) 500 - 1.75" or less Consumer Fireworks DOT Class 1.4g Fireworks UNO 336	
EXACT LOCATION OF DISPLAY OR USE Softball Diamond Eagle Park Fairgrounds, 14331 S Grange Rd	
CITY, VILLAGE, TOWNSHIP Eagle, MI	DATE 5/10/2024
BOND OR INSURANCE FILED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	TIME Appx 8 pm AMOUNT \$10,000,000.

Issued by action of the Legislative Body of the <input type="checkbox"/> City <input type="checkbox"/> Village <input checked="" type="checkbox"/> Township of Eagle _____ on the _____ day of _____, 2024. <div style="text-align: center; border-top: 1px solid black; padding-top: 5px;"> (Signature and Title of Legislative Body Representative) </div>
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THIS FORM IS VALID UNTIL THE DATE OF EXPIRATION OF PERMIT

Grand Ledge Army Aviation Support Facility Environmental Investigation Update

APRIL 18, 2024



Unclassified

ARNG UPDATE

PAUL BUCHOLTZ

MICHIGAN DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

COMPLIANCE MANAGER

BUCHOLTZP@MICHIGAN.GOV

(517) 290-4991

ARMY National Guard Priorities for CERCLA work at Grand Ledge AASF

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- ▶ ARNG Top Priority: Human Health
- ▶ Work cooperatively (MI Department of Health, EGLE, Department of Military and Veterans Affairs, ARNG-G9) and communicate PFAS CERCLA progress with community
- ▶ Move deliberately through Remedial Investigations while taking interim actions to protect human health

CERCLA= Comprehensive Environmental Response, Compensation and Liability Act, sometimes called “Superfund Act”

PFAS = per- and polyfluoroalkyl substances (a class of materials of which there are hundreds of individual compounds)

CERCLA Process

Cleanup Steps:

- ▶ Preliminary Assessment: step 1.
- ▶ Site Inspection: step 2.
- ▶ Remedial Investigation: step 3.
- ▶ Feasibility Study (engineering analysis of alternatives: step 4.
- ▶ Proposed Plan (outcome of Feasibility Study.
- ▶ Record of Decision.
- ▶ Remedial Design.
- ▶ Remedial Action.
- ▶ Monitoring (if necessary).
- ▶ Remedy complete/five-year reviews

← "You are here"

At any point

TCRA- Interim action to remove risk (less than 6 months), e.g., test for impacted drinking water and provide bottled water

NTCRA- Interim action to remove risk (taking > 6 months; includes engineering analysis), e.g., test for impacted drinking water and provide alternative water supply

TCRA: Time Critical Removal Action

PFAS and Drinking Water Sampling

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- ▶ Drinking Water Sampling 2020:
 - 25 locations sampled
 - Not detected at 23 locations
 - 1 Location: PFOS detection of 3.38 parts per trillion
 - 1 location: PFHxA 2.37 parts per trillion
- ▶ Drinking Water Sampling 2023:
 - 6 new locations sampled
 - PFOS up to 1.2 parts per trillion (3 locations)
 - PFOA at 1.4 parts per trillion (1 location)
 - PFBA up to 4 parts per trillion (2 locations)

Drinking Water Results versus Maximum Contaminant Levels

Analyte	2024 Final EPA Maximum Contaminant
Perfluorooctanesulfonic acid (PFOS)	4
Perfluorooctanoic acid (PFOA)	4
Hexafluoropropylene oxide dimer acid (HFPO-DA) (GENX)	10 (HI)
Perfluorobutanesulfonic acid (PFBS)	(HI 2000)
Perfluorohexanesulfonic acid (PFHxS)	10 (HI)
Perfluorononanoic acid (PFNA)	10 (HI)

- ▶ Drinking Water Sampling are below EPA's Final MCL, released April 10, 2024

Agricultural Notifications

PFAS Compound	PFOS	PFOA	PFBS
Notification Level ¹	70 ppt	70 ppt	40 ppb
Range Detected at Grand Ledge Army Aviation Support Facility	ND – 3880 ppt	ND – 630 ppt	Not detected above notification level (181 ppt maximum)

ppt = parts per trillion
 ppb = parts per billion
 ND = not detected

PFAS = per- and polyfluoroalkyl substances
 PFBS = perfluorobutanesulfonic acid
 PFOA = perfluorooctanoic acid
 PFOS = perfluorooctane sulfonic acid

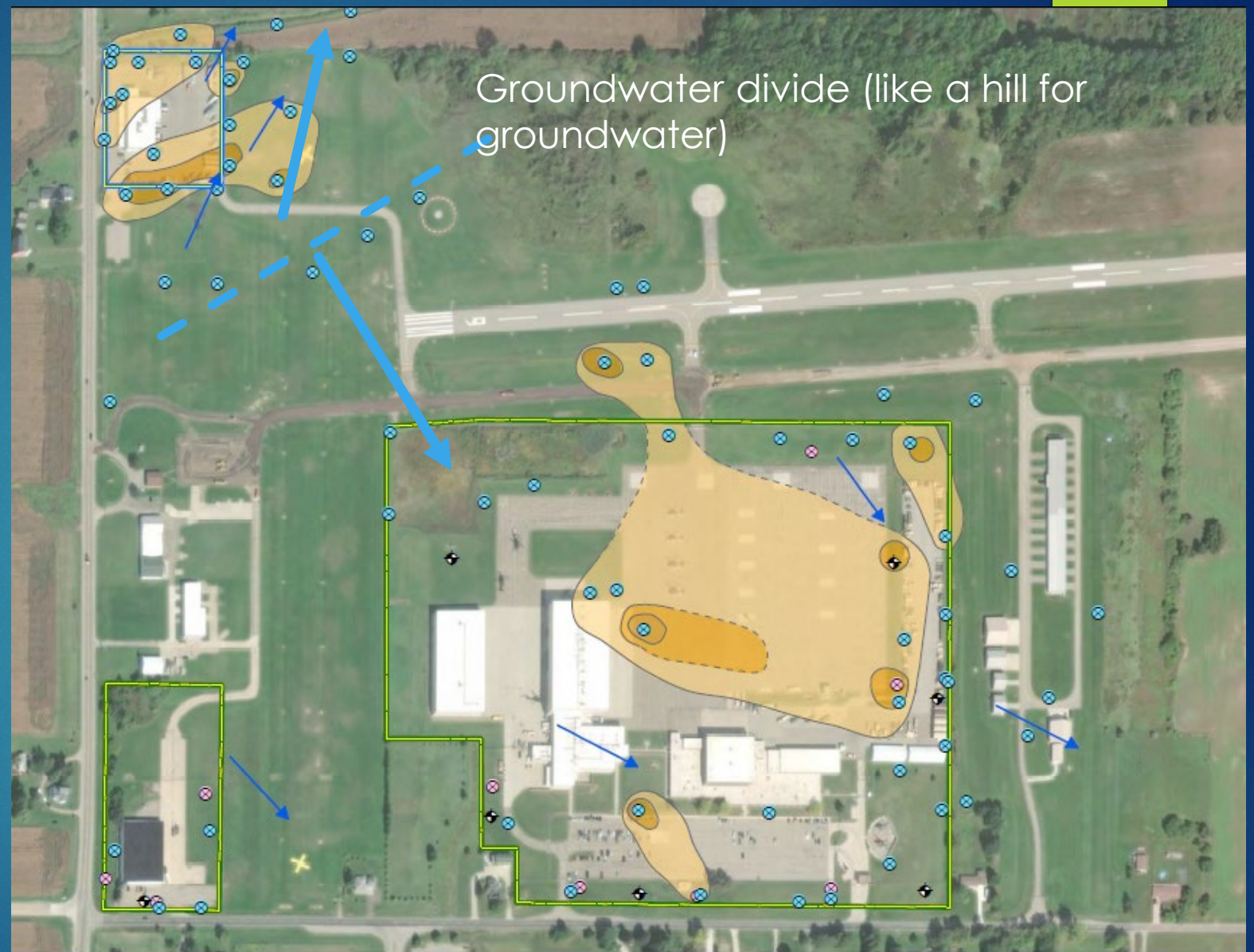
Where ARNG notified agricultural owners (registered with Department of Agriculture) Per United States Congressional Law


360 degrees around the outside perimeter of the Aviation Support Facility

Letters mailed Fall 2023

Remedial Investigation (Step 3):
How far have concentrations
traveled and is there a risk?

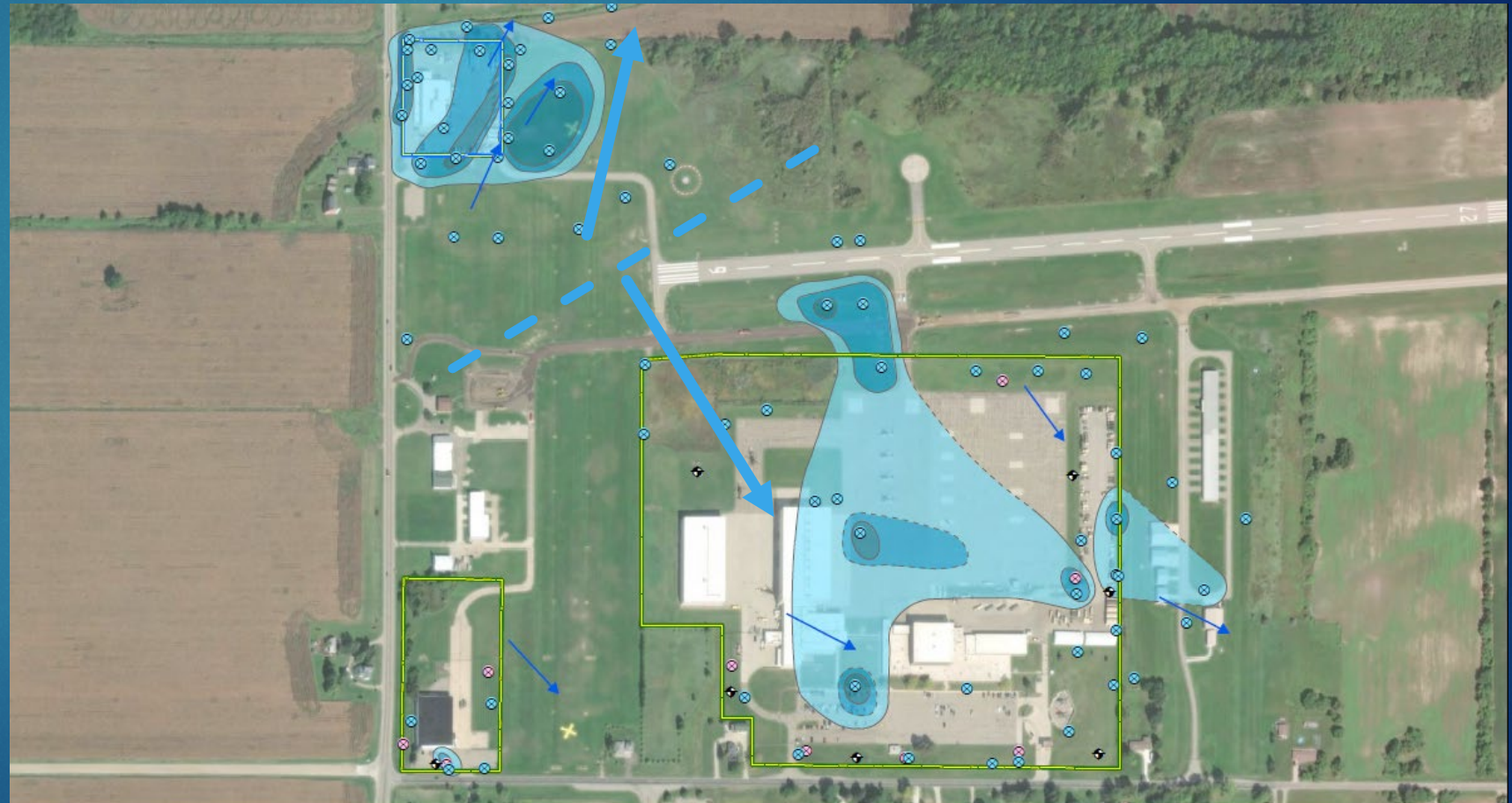
- ▶ Zoomed in view of PFOA concentrations and sample locations (dots)
- ▶ Dots are groundwater wells of various sorts



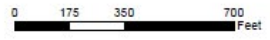
<p>West Trucking Parcel Boundary</p> <p>direction</p>	<p>PFOA Concentration Intervals</p> <ul style="list-style-type: none"> 70+ ppt 16-70 ppt 4-16 ppt 	<p>0 175 350 700 Feet</p>	<p>N</p> 	<p>PFOA Plumes</p> <p>AECOM 12420 Milestone Center Drive Germantown, MD 20876</p>
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Remedial Investigation (how far and how much PFAS?)

- ▶ Zoomed in view of PFOS concentrations and sample locations (dots)



Remedial Investigation ⊗ Temporary Monitoring Well	⬜ Approximate Transfast Trucking Parcel Boundary	PFOS Concentration Intervals ■ 70+ ppt ■ 16-70 ppt ■ 4-16 ppt
Site Inspection ⊗ DPT Boring/Temporary Well ⊗ SI Monitoring Well	⬜ Facility Boundary ➔ Groundwater Flow Direction	



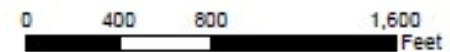
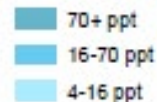
PFOS Plumes	
AECOM	12420 Milestone Center Drive Clermontown, MD 20676
Figure 1	

UNCLASSIFIED

- ▶ Zoomed out view of PFOS concentrations and sample locations (dots)
- ▶ Note that there are dots with no concentration colors, which means concentrations are below 4 ppt or not detectable



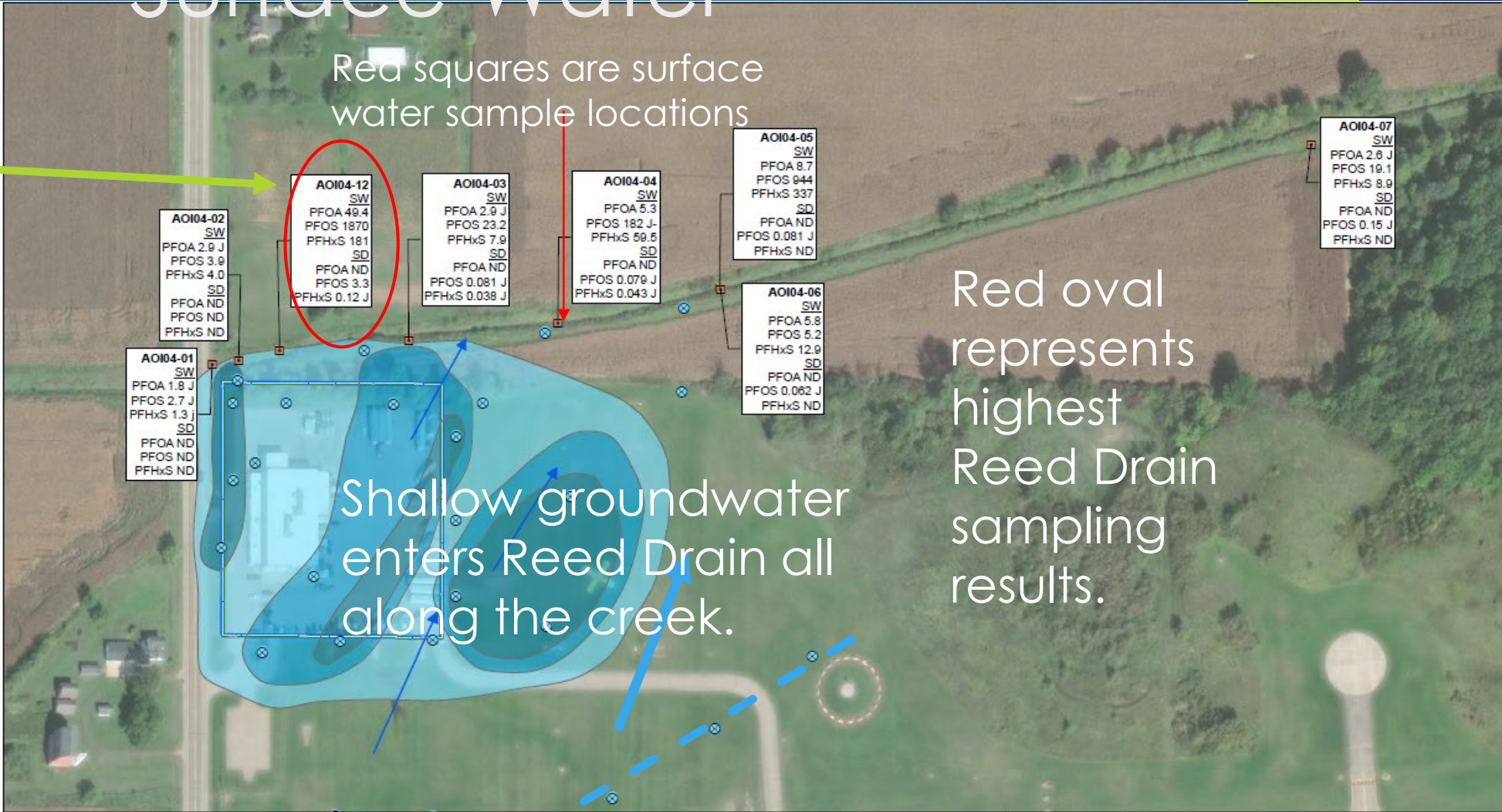
g Parcel Boundary PFOS Concentration Intervals



PFOS: shallow groundwater and Surface Water

Maximum Concentrations:
 PFOS: 1870 ppt
 PFOA: 49.4 ppt
 PFHXS: 181 ppt

The surface water (Reed Drain) acts as a barrier for concentrations in groundwater moving North



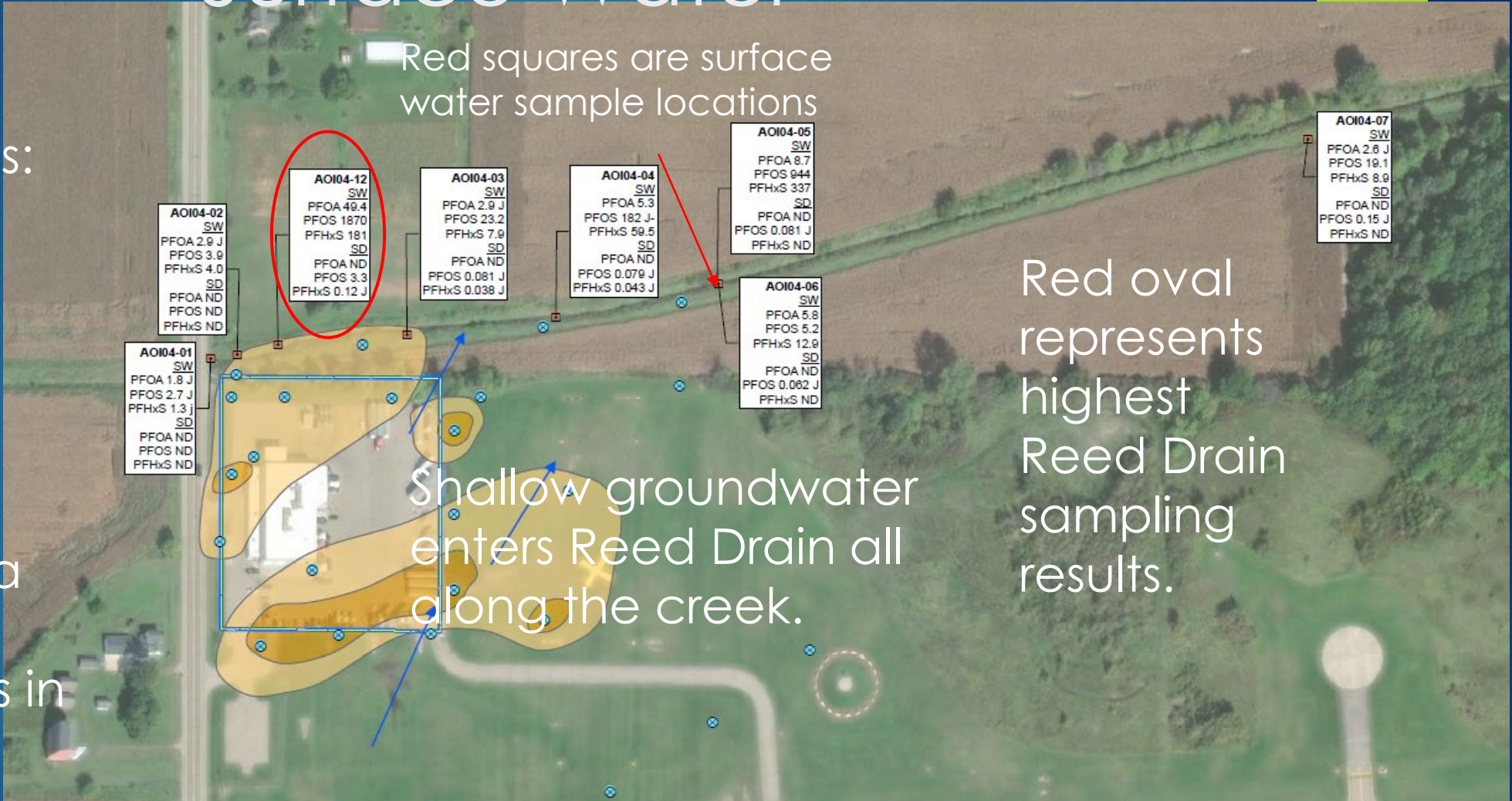
UNCLASS

Remedial Investigation ● Temporary Monitoring Well ■ Surface Water/Sediment □ Approximate Transfast Trucking Parcel Boundary	→ Groundwater Flow Direction PFOS Concentration Intervals ■ 70+ ppt ■ 16-70 ppt ■ 4-16 ppt	0 80 160 320 Feet	N 	Reed Drain Results + PFOS Plumes
13420 Milestone Center Drive Germantown, MD 20876			Figure 7	

PFOA: shallow groundwater and Surface Water

Maximum Concentrations:
 PFOS: 1870 ppt
 PFOA: 49.4 ppt
 PFHXS: 181 ppt

The surface water (Reed Drain) acts as a barrier for concentrations in groundwater moving North



Remedial Investigation ● Temporary Monitoring Well ■ Surface Water/Sediment □ Approximate Transfast Trucking Parcel Boundary	→ Groundwater Flow Direction PFOA Concentration Intervals ■ 70+ ppt ■ 16-70 ppt ■ 4-16 ppt	0 80 160 320 Feet 	N 	Reed Drain Results + PFOA Plumes AECOM 12420 Milestone Center Drive Germantown, MD 20875	Figure 8
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Next Steps

- ▶ Complete the Remedial Investigation
 - ▶ Collect additional soil and groundwater samples
 - ▶ Determine the full extent of PFAS in the environment
 - ▶ Prepare a risk assessment
- ▶ Prepare a Feasibility Study
 - ▶ Select the best methods to remediate PFAS

Restoration Advisory Board

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- ▶ Community-based group: provides input and advice on environmental cleanup activities
- ▶ Sign up sheet in the back of the room
- ▶ Requirements:
 - ▶ Representatives from broad swath of community to include residents, business owners, local government and environmental organizations (typically 5-15 members)
 - ▶ Hold regular meetings (e.g. quarterly) to review ongoing cleanup activities and provide feedback to ARNG
 - ▶ Transparency: RAB meeting are open and provide information to the public about progress and RAB decisions
 - ▶ Must have a community chairperson
 - ▶ Need a group of community members interested in keeping informed and meeting regularly
 - ▶ MI ARNG provides a co-chair for the RAB
- ▶ If the community indicates interest, then an initial meeting is held, members are selected, Chairperson elected, bylaws determined, charter developed

Questions and Answers

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